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THE

PARLIAMENTARY DEBATES

(AUTHORISED EDITION),

FOURTH SERIES

FIRST SESSION OF THE TWENTY-EIGHTH PARLIAMENT
OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

6 EDWARD VII.

VOLUME CLXVI.

COMPRISING THE PERIOD FROM THE TWENTY-EIGHTH DAY OF
NOVEMBER TO THE TENTH DAY OF DECEMBER, 1906.

FIFTEENTH VOLUME OF SESSION

1906

PRINTED AND PUBLISHED,
UNDER CONTRACT WITH HIS MAJESTY'S STATIONERY OFFICE
BY
WYMAN AND SONS, LIMITED, FETTER LANE, LONDON.

8472

CHRONOLOGY OF "THE PARLIAMENTARY DEBATES."

THE PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

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EARLDOM OF NORFOLK.—Report from the Committee for Privileges that the Petitioner Charles Botolph Joseph, Lord Mowbray, Lord Segrave, and Baron and Lord Stourton of Stourton, hath not made out his claim to the dignity of Earl of Norfolk; made and agreed to; and resolved and adjudged accordingly; and resolution and judgment to be laid before His Majesty by the Lords with White Staves: Ordered that all deeds, documents, and papers produced on behalf of the Petitioner and on behalf of Henry Duke of Norfolk, by their respective agents, be delivered to the said agents 1

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill.—Edinburgh Corporation (Superannuation) Order Confirmation Bill. Read 3ª (according to order), and passed 1

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against. Of inhabitants of parishes of Cosby; Prestwold; St. Andrews, Leicester; Asfordby and Kirby Bellars; and Bagbrooke; Of parents of children attending school at Little Addington; Of trustees of Church of England schools at Mountsorrel, in the diocese of Peterborough (2)

Read, and ordered to lie on the Table 2

CIVIL EMPLOYMENT OF EX-SOLDIERS AND SAILORS.

Lord Monkswell 2

Moved, "That an humble Address be presented to His Majesty for Papers respecting the civil employment of ex-soldiers and sailors."—(*The Lord Monkswell.*)

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Lord Monkswell 21

On Question, Motion agreed to, and ordered accordingly.

Marine Insurance Bill [H.L.]—Order of the Day read for the consideration of the Commons Amendments

The Earl of Halsbury 22

Moved, To agree to all the Commons Amendments with the following exceptions—

Commons Amendment—

"In Clause 4, page 2, line 22, after the word 'wagering' to insert the words 'or with no expectation of acquiring such an interest'"

Proposed Amendment—

"Agree to this Amendment with the following consequential Amendment, namely: In page 2, lines 20 and 21, to leave out the words 'by way of gaming or wagering or'"

Commons Amendment—

"In Clause 14, pages 3 and 4, to leave out sub-sections (2) and (3)"

Proposed Amendment—

"Agree to this Amendment, with the following consequential Amendment, namely: In page 3, line 36, after the word 'mortgage,' to insert as a new sub-section: '(2) A mortgagee, consignee, or other person having an interest in the subject matter insured may insure on behalf and for the benefit of other persons interested as well as for his own benefit'"

Commons Amendments—

"In Clause 18, page 5, line 12, after the word 'him' to insert the words 'or ought to have been communicated to him by his 'agents.'"

"In Clause 18, page 5, line 17, after the word 'risk' to insert the words 'and in particular the fact that a policy is effected by way of re-insurance is material.'"

"In Clause 25, page 7, line 11, to leave out the word 'may' and to insert the word 'shall.'"

Disagree to these Amendments.

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Commons Amendment—

> "In Clause 27, page 7, line 28, after the word 'policy' to insert the words' but when the interest is of such a kind as to affect the character of the risk, it must be stated; and in particular a loan on bottomry or respondentia is not effectually insured by a policy on ship or goods unless the nature of the interest is stated.'"

Proposed Amendment—

> "Disagree to this Amendment, but in lieu thereof leave out lines 29, 30, and 31."

Commons Amendment—

> "In Clause 40, page 11, line 3, to leave out from the word 'equipment' to the end of the sub-section, and to insert the words 'the warranty in respect of such preparation or equipment is satisfied if at the commencement of each stage the ship is seaworthy in respect of such preparation or equipment for the purposes of that stage.'"

Proposed Amendment—

> "Amend this Amendment by leaving out the words 'the warranty in respect of such preparation or equipment is satisfied if' and insert the words 'there is an implied warranty that.'"

Commons Amendment—

> "In Clause 40, page 11, line 8, after the word 'respects' to insert the words 'including manning, equipment, and stowage.'"

Disagree to this Amendment.

Commons Amendments—

> "In Clause 58, page 15, line 29, to leave out the words 'irreparably damaged,' and to insert the words 'an actual total loss.'"
>
> "In Clause 58, page 15, line 30, to leave out from the word 'specie' to the end of line 33."

Proposed Amendment—

> "Disagree to these Amendments, but in lieu thereof leave out sub-section (2)."

Commons Amendment—

> "In Clause 61, page 16, line 25, to leave out from the word 'repairs' to the word 'or,' in line 28, and to insert the words 'no deduction is to be made in respect of general average contributions to those repairs payable by other interests, but deduction is to be made of contributions which would be payable by other interests towards necessary future expenses.'"

Proposed Amendment—

" Amend this Amendment by leaving out from the word ' but ' to end of Amendment and inserting the words ' account is to be taken of the expense of future salvage operations, and of any future general average contributions to which the ship would be liable if repaired.' "

Commons Amendment—

" In Clause 63, page 17, line 4, after the word ' abandon,' to insert the words ' the insured interest in.' "

Proposed Amendment—

" Amend this Amendment by leaving out the words ' the insured,' and inserting the word ' his.' "

Commons Amendment—

" In Clause 65, page 18, line 14, at the beginning of the line to insert the words, ' Expenses incurred by or on behalf of the assured for the safety or preservation of the ship insured other than general average and salvage charges are called particular charges."

Proposed Amendment—

" Amend this Amendment by leaving out the words ' ship,' and inserting the words ' subject-matter.' "

Commons Amendment—

" In Clause 67, page 19, line 13, at the beginning of the line to insert the words ' As between the shipowner and a shipper.' "

Proposed Amendment—

" Disagree to this Amendment, but in lieu thereof leave out subsection (7), namely, lines 13 to 16, on page 19.

Commons Amendment—

" In Clause 67, page 19, line 18, to leave out from the first word ' assured ' to the end of line 20, and to insert the words ' the rights and liabilities of the insurers in respect of general average losses are to be determined as if those subjects were owned by separate persons.' "

Proposed Amendment—

" Amend this Amendment by making it run ' the liability of the insurers in respect of general average losses or contributions are to be determined as if those subjectsw ere owned by different persons.' "

Commons Amendment—

"In Clause 71, page 20, line 26, to leave out the word 'whole' and to insert the words 'highest amount of.'"
Disagree to this Amendment.

Commons Amendment—

"In Clause 80, page 23, line 33, after the word 'to' insert the words 'the interests of the assured in.'"

Proposed Amendment —

"Amend this Amendment by making it run 'take over the interest of the assured in.'"

Commons Amendment—

"In Clause 85, page 25, line 31, after the word 'policy' to insert the words 'and when the double insurance is effected knowingly no premium is returnable.'"

Proposed Amendment—

"Amend this Amendment by inserting after the word 'knowingly' the words 'by the assured.'"—(*The Earl of Halsbury.*)

The Lord Chancellor (*Lord Loreburn*) 26

On Question, Motion agreed to, and a Committee appointed to prepare reasons to be offered to the Commons for disagreeing to several Commons Amendments; the Committee to meet forthwith.

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Lord Sanderson 27
The Under-Secretary of State for Foreign Affairs (*Lord Fitzmaurice*) .. 27

House adjourned at five minutes before Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS, WEDNESDAY, 28TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

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MESSAGE FROM THE LORDS.—That they have agreed to, Blairgowrie, Rattray, and District Water Order Confirmation Bill; Edinburgh Corporation (Superannuation) Order Confirmation Bill, without Amendment.

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CIVIL CONTINGENCIES FUND, 1905–6.—Copy ordered, "of Accounts of the Civil Contingencies Fund, 1905–6, showing (1) the receipts and payments in connection with the Fund in the year ended the 31st day of March, 1906 ; (2) the distribution of the capital of the Fund at the commencement and close of the year ; together with Copy of the Correspondence with the Comptroller and Auditor-General thereon."—(*Mr. McKenna.*) 29

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CLANRICARDE ESTATES (EXPROPRIATION).—

Mr. Duffy (Galway, S.) 89

Motion made and Question proposed, "That leave be given to bring in a Bill to provide for the expropriation of the Marquess of Clanricarde from his Irish Estates."—(*Mr. Duffy.*)

The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 92

Question put, and agreed to.

Bill ordered to brought in by Mr. Duffy, Mr. John Roche, Mr. O'Malley, Mr. Gwynne, Mr. Jeremiah MacVeagh, Sir Alfred Thomas, Mr. Henderson, Mr. Paul, Mr. Lehmann, and Mr. Burt.

Clanricarde Estates (Expropriation) Bill.—"To provide for the expropriation of the Marquess of Clanricarde from his Irish Estates," presented accordingly, and read the first time; to be read a second time To-morrow, and to be printed. [Bill 357.]

Plural Voting Bill.—As amended, further considered.

Mr. Fell (Great Yarmouth) 93

Amendment proposed to the Bill—

"In page 1, line 5, to leave out Clause 1."—(*Mr. Fell.*)

Question proposed, "That the words 'A person' stand part of the Bill."

The First Commissioner of Works (Mr. Harcourt, Lancashire, Rossendale) 96
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Mr. Harcourt 108
Sir William Bull (Hammersmith) 109
Mr. T. L. Corbett (Down, N.) 109

Question put.

The House divided:—Ayes, 336; Noes, 74. (Division List No. 444.)

Mr. Fell 113
Sir Frederick Banbury 113

Amendment proposed to the Bill—

"In page 1, line 5, after the word 'person' to insert the word 'lawfully.'"—(*Mr. Fell.*)

Question proposed, "That the word 'lawfully' be there inserted in the Bill."

Mr. Harcourt 115

Question put, and negatived.

Mr. Courthope (Sussex, Rye) 115

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Amendment proposed to the Bill—

"In page 1, line 5, after the word 'registered' to insert the words 'fort he first time after the passing of this Act.'"—(*Mr. Courthope.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Harcourt 117
Mr. Austen Chamberlain 118

Question put.

The House divided :—Ayes, 76 ; Noes, 357. (Division List No. 445).

Mr. Courthope 123

Amendment proposed to the Bill—

"In page 1, line 5, after the word 'elector' to insert the words "in respect of ownership.'"—(*Mr. Courthope.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Hacrourt 124
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Major Seely (*Liverpool, Abercromby*) 125
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Mr. Mitchell-Thomson (*Lanarkshire, N.W.*) 128
Mr. Mond (*Chester*) 128
Lord R. Cecil (*Marylebone, E.*) 129

Question put.

The House divided :—Ayes, 67 ; Noes, 337. (Division List No. 446).

Mr. Fell 136

Amendment proposed to the Bill—

"In page 1, line 6, to leave out from the word 'constituency' to the word 'during' in line 7, and to insert the words 'who votes.' —(*Mr. Fell*).

Question proposed, "That the words 'shall not vote as such,' stand part of the Bill."

The Chancellor of the Exchequer (*Mr. Asquith, Fifeshire, E.*) 136

Amendment negatived.

Mr. T. L. Corbett 136
Captain Craig 137

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Amendment proposed to the Bill—

"In page 1, line 6, after the word 'such' to insert the words 'at any general election.'"—(*Mr. T. L. Corbett.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Harcourt 138
Sir Frederick Banbury 138

Question put.

The House divided :—Ayes, 36 ; Noes, 282. (Division List No. 447.)

Mr. Harmood-Banner (*Liverpool, Everton*) 141

Amendment proposed—

"In page 1, line 6, to leave out the words 'or ask for a ballot or voting paper for the purpose of 'so voting.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Viscount Turnour (*Sussex, Horsham*) 144
Mr. Harcourt 144

Question put.

The House divided :—Ayes, 289 ; Noes, 38. (Division List No. 448.)

Sir Frederick Banbury 147
Mr. Hicks Beach 149

Amendment proposed to the Bill—

"In page 1, line 8, to leave out the word 'seven' and to insert the word 'nine.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the word 'seven' stand part of the Bill."

Mr. Harcourt 150
Mr. Courthope 150
Mr. Cave 151

Question put.

The House divided :—Ayes, 297 ; Noes, 45. (Division List No. 449.)

Mr. Courthope 155
Captain Craig 158

Amendment proposed to the Bill—

"In page 1, line 10, to leave out the words 'for the year in the manner provided by this Act.'"—(*Mr. Courthope.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Harcourt 159
Viscount Turnour 159
Mr. T. L. Corbett 160
Mr. Austen Chamberlain 160

Question put.

The House divided :—Ayes, 340 ; Noes, 71. (Division List No. 450.)

Mr. Harcourt 165

Amendment proposed to the Bill—

"In page 1, line 12, to leave out the word 'section' and insert the word 'provision.'"—(*Mr. Harcourt.*)

Amendment agreed to.

Mr. Lane-Fox 165

Amendment proposed to the Bill—

"In page 1, line 13, to leave out from the word 'be' to the word 'provided' in line 16, and insert the words 'liable on summary conviction to a penalty not exceeding 40s.'"—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Harcourt 167
Mr. Austen Chamberlain 168

Question put.

The House divided :—Ayes, 360 ; Noes, 76. (Division List No. 451.)

And, it being after half-past Ten of the clock Mr. SPEAKER proceeded pursuant to the Order of the House of 26th November to put forthwith the Questions on the Amendments moved by the Government of which notice had been given.

Amendments proposed to the Bill—

"In page 1, line 16, to leave out from the word 'that,' to end of subsection, and insert '(*a*) the Court before whom any person is convicted of the offences of personation under this section may if they think fit, instead of inflicting the punishment of imprisonment, impose a fine not exceeding five hundred pounds ; and (*b*) the provisions of Section 86 of The Parliamentary Voters Registration Act, 1843 as to giving a person into custody whom an agent declares to be guilty of personation shall not apply in a case where the personation alleged is personation under this Act ; and (*c*) a person may be convicted of aiding, abetting, counselling, or procuring the commission of personation under this Act

if he knowingly and with the intention of defeating the provisions of this Act, aids, abets, counsels or procures any person to act in contravention of the foregoing provision of this section whether that person in so acting would be acting knowingly, and with the intention of evading the provisions of this Act, or not.' "

"In page 1, line 21, to leave out the words 'person desiring,' and insert the words 'where a person owing to his being registered in two or more constituencies, or owing to the probability of his becoming so registered desires.' "

"In page 1, line 22, after the word 'Act' to insert the word 'he.' "—(*Mr. Harcourt.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 1, line 22, to leave out the words 'send or cause to be sent a,' and to insert the word 'give.' "—(*Mr. Harcourt.*)

Question put, "That the Amendment be made."

The House divided :—Ayes, 363 ; Noes, 76. (Division List No. 452.)

Amendment proposed to the Bill—

"In page 1, line 23, to leave out the words 'signed by him.' "—(*Mr. Harcourt.*)

Amendment agreed to.

Amendment proposed to the Bill—

"In page 1, line 27, after the word 'effect,' to insert the words 'by delivering or causing to be delivered or sending by post to the clerk a notice to that effect signed by him.' "—(*Mr. Harcourt.*)

Question put, "That the Amendment be made."

Question put, "That the Amendment be made,"

The House divided :—Ayes, 354 ; Noes, 72. (Division List No. 453.)

Amendments proposed—

"In page 1, line 28, and page 2, line 1, to leave out the words, 'send an acknowledgment of the receipt of the said notice, and.' "

"In page 2, line 1, to leave out the words 'sending,' and insert the words 'giving,' "

"In page 2, line 7, to leave out all after the word 'withdrawn,' to the end of the sub-section, and insert as new paragraphs, 'A person desiring to withdraw his notice of selection must give notice of withrdawal to the clerk of the county council or town clerk acting for the constituency the selection of which is to be withdrawn, by delivering or causing to be delivered or sending by post to the clerk a notice to that effect, signed by him. The clerk shall send an acknowledgment of the receipt of every notice of selection or withdrawal received by him, and shall retain and preserve all notices so received, and allow any person to inspect these notices on payment of a fee not exceeding one shilling.' "

" In page 2, line 9, to leave out the words ' intent to evade,' and insert the words ' the intention of evading.' "

" In page 2, line 11, to leave out the words ' sends or causes to be sent a,' and insert the word ' gives.' "

" In page 2, line 19, to leave out the words ' sends or causes to be sent a,' and insert the word ' gives.' "

" In page 2, line 19, at end, to insert (4) ' A Court before whom a person is convicted under this section of the offence of personation or of an illegal practice may, if they think it just under the circumstances of the case, mitigate or entirely remit any incapacities imposed by Section 6 or Section 10 of The Corrupt and Illegal Practices Prevention Act, 1883, and if on application made it is shown to the High Court that any person has acted in contravention of this section without any intention of evading the provisions of this Act the Court shall have a similar power to grant relief as is contained in Section 23 of the said Act.' "

" In page 2, line 19, at end, to insert, ' If any person forges or fraudulently alters or uses or fraudulently gives or allows to be given by any other person any notice of selection or withdrawal under this Act, he shall be guilty of an illegal practice within the meaning of The Corrupt and Illegal Practices Prevention Act, 1883.' "

" In page 2, line 19, at end, to insert ' If any person directly or indirectly by himself or by any other person on his behalf induces or attempts to induce any person to refrain from voting as a Parliamentary elector by informing that person that he is registered in two or more constituencies knowing that he is not so registered, or without having reasonable ground to believe that he is so registered, that person shall be guilty of undue influence within the meaning of Section 2 of the Corrupt and Illegal Practices Prevention Act, 1883.' "

" In page 2, line 19, at end, to insert ' If on an election petition the vote of any person is objected to on the ground that it has been given in contravention of this Act, the vote shall not be rejected on that ground if the voter satisfies the Court that he did not know that he was registered in any constituency other than that in which he has voted.' "

" In page 2, line 19, at end, to insert ' If any clerk or a county council or town clerk wilfully fails to perform any duty imposed on him by or in pursuance of this Act, he shall be liable to forfeit to any person aggrieved the penal sum of one hundred pounds, or such less sum as the Court before whom the action for the recovery of the sum is tried shall consider just.' "

" In page 2, line 30, to leave out all after the word ' constituency,' to end of sub-section."

"In page 2, line 28, after the word 'with,' to insert the word 'the.'

"In page 2, line 38, to leave out the words 'to evade,' and to insert the words 'of evading.'"

"In page 3, lines 7, 8 and 9, to leave out the words 'as respects Ireland under Section 3 of the Parliamentary Registration (Ireland) Act, 1885.'"

"In page 3, to leave out lines 17 and 18, and to insert 'The expressions 'elector' and 'person entitled to vote' and other similar expressions when used in any Act of Parliament, whether passed before or after the commencement of this Act, shall, except so far as the contrary intention appears, and except so far as necessary to carry out the provisions of this Act, be construed to include any person registered as a Parliamentary elector in any constituency, although under the provision of this Act he may be debarred from voting in that constituency, subject as follows.'"

"In page 3, line 22, to leave out the word 'section,' and to insert the words 'sections one and.'"

"In page 3, line 23, to leave out the words 'that Act,' and to insert the words 'The Corrupt and Illegal Practices Prevention Act, 1883.'"

"In page 3, line 23, at end to add '(2) A person registered as a Parliamentary elector in any constituency shall not be treated as a 'voter' 'elector,' or 'registered elector' in that constituency for the purposes of the First and Third Schedules of The Parliamentary Elections (Returning Officers) Act, 1875, or the First Schedule of The Corrupt and Illegal Practices Prevention Act, 1883, if his place of abode, as entered in the register, is not the same as his qualifying premises as so entered, and he has not selected that constituency as his voting constituency under this Act. The clerk of the county council or town clerk shall enter in his summary of the number of Parliamentary electors or otherwise on the register, the number of those electors whose place of abode is entered on the register as not the same as their qualifying premises as so entered, and who have not selected the constituency in question as their voting constituency under this Act.'"—(*Mr. Harcourt.*)

"In Clause 6, page 3, line 31, after the word 'also,' to insert the words 'for the purposes of this Act.'"

"In page 4, line 2, at end, to insert the words 'the Court of Session acting subject to the provisions of sub-section (4) of Section 68 of The Corrupt and Illegal Practices Prevention Act, 1883, shall be substituted for the High Court; the Sheriff shall be substituted for a court of summary jurisdiction or county court, the Lord Advocate shall be substituted for the Attorney-General.'"

"In page 4, line 2, at end, to insert the words 'A reference to the Schedule of The Parliamentary Elections, Returning Officers Expenses (Scotland) Act, 1878, and to the Schedule of the Returning Officers

(Scotland) Act, 1891, shall be substituted for a reference to the First and Third Schedules of The Parliamentary Elections (Returning Officers) Act, 1875.' "—(*The Lord Advocate.*)

"Schedule, page 5, line 9, after the word 'not,' to insert the words 'to my knowledge.' "

"Schedule, page 5, line 20, after the word 'constituency,' to insert the words 'knowingly, and with the intention of evading the provisions of the Plural Voting Prevention Act, 1906.

"Schedule, page 5, line 24, after the word 'and,' to insert the words 'subject to the provisions of that Act.' "—(*Mr. Harcourt.*)

Amendments agreed to.

Bill to be read the Third Time To-morrow, and to be printed. [Bill 358.]

Whereupon Mr. Speaker adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS: THURSDAY, 29TH NOVEMBER, 1906.

COMMISSION.

The following Bills received the Royal Assent:

1. Marriage with Foreigners.
2. Sale of Intoxicating Liquors (Ireland).
3. Clydebank and District Water and Burgh Extension Order Confirmation.
4. Blairgowrie, Rattray, and District Water Order Confirmation.
5. Edinburgh Corporation (Superannuation) Order Confirmation.
6. Metropolitan Electric Supply.
7. Dover Harbour (Works, etc.).
8. Great Northern Railway (Ireland) 185

PETITIONS.

Education (England and Wales) Bill.—Petitions for amendment of; of inhabitants of Mountain Ash; Hyde; South Hylton; Hoveringham; Nempnett; Manchester (St. Gabriel's, Hulme) (2); Oakworth; Barton-le-Street; Stanton-in-the-Peak; Youlgrave; Worth Matravers; Garpole; Halton and Moston. Of teachers in non-provided schools in Bristol; and Church school teachers and managers in London.—Read, and ordered to lie on the Table 185

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EDUCATION (ENGLAND AND WALES) BILL.—Petitions against; of inhabitants of, or parents of children attending schools in parishes of Fenny Drayton; Wakefield (All Saints); Newport (St. Marks); Sydenham (St. Barts); Newport (St. Woolos); Parkfield-in-Middleton; Wilby; Campsall; Heath; Stoke-on-Trent; Great Addington (2); Hault; Broughton (St. Clements); Leicester (St. Peter); Kirkdale; Southwark; Oldham (St. Paul); Houghton; Congresbury; Blaenavon; Monkton Combe; Llanigon; Moordown (2); St. Andrews Major (Dinas Powis); Darwent (St. James); Much Dewchurch (2); Undy; Bishopswood; Knottingley; Barming; Hale; Hardwicke-cum-Weedon; Thame; Compton; Stewkeley; Radley (2); Littleworth; Hedgerley and Deane; Cowley (St. Johns); and Peterborough. Of trustees of Church of England Schools in England and Wales.—Read, and ordered to lie on the Table 185

RETURNS, REPORTS, ETC.

RAILWAY AND CANAL TRAFFIC ACT, 1888.—Ninth Report by the Board of Trade of proceedings under Section 31 of the Act, including proceedings upon complaints made under Section 1 of the Railway and Canal Traffic Act, 1894; laid before the House (pursuant ot Act, and ordered to lie on the Table .. 186

Education (England and Wales) Bill.—Order of the day for receiving the Report of the Amendments read.

Moved, "That the Report be now received."—(*The Earl of Crewe.*)

The Marquess of Lansdowne 186
The Lord President of the Council (*The Earl of Crewe*) 193

On Question, Motion agreed to.

Bill, as amended, considered

The Earl of Crewe 196

Amendment moved—

"In page 1, line 7, to leave out the word 'January,' and to insert the word 'July.'"—(*The Earl of Crewe.*)

Viscount St. Aldwyn 197
The Earl of Camperdown 197
The Earl of Crewe 197

On Question, Amendment agreed to.

Amendment moved—

"In page 1, line 8, after the word 'eight,' to insert the following words, 'or such later date as His Majesty in Council may appoint for any district on the application of the local education authority of the district.'"—(*Viscount St. Aldwyn.*)

On Question, Amendment agreed to.

The Earl of Meath 198
The Duke of Devonshire 199

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Amendment moved—

"In page 1, lines 12 and 13, to leave out the words 'shall, if required by the owners continue," and to insert the words 'for the purpose of continuing.' "—(*The Duke of Devonshire.*)

The Earl of Crewe 205
The Earl of Camperdown 209
Lord Stanley of Alderley 210
The Marquess of Lansdowne 210
TheLord Bishop of London 211

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Lord Grimthorpe 212

Consequential Amendment agreed to.

Lord Ashbourne 212

Amendment moved—

"In page 2, line 34, to leave out the words 'subject to the approval of the Board of Education.' "—(*Lord Ashbourne.*)

On Question, Amendment agreed to.

The Lord Bishop of Wakefield 213

Amendment moved—

"In page 3, line 18, after the word 'instruction' to insert the words 'of any specified character and amount.' "—(*The Lord Bishop of Wakefield.*)

The Earl of Meath 214
The Earl of Crewe 214

Amendment, by leave, withdrawn.

The Earl of Crewe 215

Amendment moved—

"In page 3, line 26, to leave out the words 'scheme under this part of' and to insert the words 'order of the Commission under.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Marquess of Salisbury 215

Amendment moved—

"In page 3, line 28, to leave out from the word 'schoolhouse' to the word 'authority' in line 31, and to insert the word 'that.' "—(*The Marquess of Salisbury.*)

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The Lord Bishop of Hereford 217
The Lord Bishop of London 218
The Earl of Edmonton 219
Viscount Halifax 222
The Earl of Crewe 224
The Marquess of Lansdowne 228
The Lord Bishop of Birmingham 230

On Question, "That the words proposed to be left out stand part of the Clause," resolved in the negative.

On question, "That the word 'that' be there inserted," their Lordships divided :—Contents, 143 ; Not-Contents, 43.

Viscount St. Aldwyn 233

Amendment moved—

"In page 3, line 34, after the word 'instruction,' to insert the words 'on two mornings a week in school hours at such times as may be consistent with the proper conduct of the school and.'"—(*Viscount St. Aldwyn.*

The Lord Bishop of Oxford 236
The Lord Bishop of Birmingham 240
The Earl of Crewe 241
The Marquess of Londonderry 244
Viscount Halifax 244
Lord Ribblesdale 246
The Lord Bishop of Southwark 247
The Lord Bishop of Chester 248

On Question, "That those words be there inserted," their Lordships divided : —Contents, 142 ; Not-Contents, 23.

Viscount Halifax 251

Amendment moved—

"In page 3, line 35, after the word 'morning' to insert the following new sub-section : '(2) In all schools in which facilities are afforded under this section the parents of the children attending the school shall elect in accordance with regulations to be made for the purpose by the Board of Education four persons, some of whom way be women, who, together with one other person nominated by the owners and one other person nominated by the local education authority, shall be known as the parents' committee. The parents' committee shall be responsible for, and have the control of, the religious instruction afforded under such facilities.'"—(*Viscount Halifax.*)

The Earl of Crewe 251
Lord Stanley of Alderley 251
Viscount St. Aldwyn 252
The Earl of Crewe 252
Lord Belper 252
The Marquess of Salisbury 253
Lord Davey 253

Amendment, by leave, withrdawn.

The Earl of Crewe 254

Amendment moved—

"In page 3, line 37, after the word "section' to insert the words 'other than expenses involved in making the schoolhouse, so far as necessary, available for the purpose in the same manner as for other school purposes.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Lord Ashbourne 254

Amendment moved—

"In pages 3 and 4, to leave out sub-section (3) and insert the following new subsection :—' If any question arises under this section between the owners of the schoolhouse and the local education authority, including any question as to the mode in which the facilities should be afforded, that question shall be determined by the Board of Eudcation.' "
—(*Lord Ashbourne.*)

On Question, Amendment agreed to.

Amendment moved—

"To insert the following new clause:—(1) If the parents of a reasonable number of children attending any public elementary school require facilities for their children of the same character as those to be afforded under section 3 of this Act, and, in the opinion of the local education authority, those children cannot conveniently attend some other public elementary school in which facilities for religious instruction of the special character desired by the parents are afforded, the local education authority, without prejudice to any of their powers or duties under Section 3 of this Act, shall, so far as it is in their opinion reasonably practicable to do so, afford those facilities in the school within school hours accordingly. (2) No part of the expense of giving religious instruction of a special character under this section shall be paid by the local education authority."—(*The Marquess of Salisbury.*)

The Lord Bishop of Hereford 255
The Earl of Crewe 255

On Question, "That the proposed new clause be there inserted," resolved in the affirmative.

The Marquess of Salisbury 256

Amendment moved—

"In page 4, line 13, after the word 'application,' to insert the words 'or in case of dispute with the applicants if the Commission are satisfied.' "—(*The Marquess of Salisbury.*)

The Earl of Crewe 257

On Question, "That those words be there inserted," resolved in the affirmative.

The Marquess of Lansdowne 258

Amendment moved—

"In page 4, lines 16 and 17, to leave out the words 'the majority' and insert the words 'at least two-thirds.'"—(*The Marquess of Londonderry.*)

The Earl of Crewe 260
Lord Balfour of Burleigh 261
The Duke of Norfolk 262
The Lord Bishop of London 263
Lord Stanley of Alderley 263
The Earl of Camperdown 264
Lord Davey 264
The Marquess of Lansdowne 265

On Question, "That the words 'the majority' stand part of the Bill," resolved in the negative.

Words proposed inserted.

Amendment moved—

"In page 4, line 17, after the word 'school' to insert the words 'whose parents take part in the ballot.'"—(*The Marquess of Londonderry.*)

On Question, "That those words be there inserted," their Lordships divided:—Contents, 97; Not-Contents, 47.

Adjourned at a quarter before Twelve o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS: THURSDAY, 29TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.—Petition from Selkirk, in favour; to lie upon the Table 267

EDUCATION (ENGLAND AND WALES) BILL.—Petition from Scroton, against; to lie upon the Table 267

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).—Petitions against alteration of Law: From Bennington; and Sutterton; to lie upon the Table 267

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INDO-CHINESE OPIUM TRAFFIC.—Petition from Wilmslow, for suppression; to lie upon the Table 268

PARLIAMENTARY FRANCHISE.—Petition from Cuckfield, for extension to women; to lie upon the Table 268

SUPERANNUATION OF TEACHERS.—Petition from Leeds, for alteration of Law; to lie upon the Table 268

RETURNS, REPORTS, ETC.

CONVOCATIONS OF CANTERBURY AND YORK (LETTERS OF BUSINESS).—Return presented, relative thereto [Address 24th October; *Mr. Paul*]; to lie upon the Table 268

STREET BETTING (CONVICTIONS).—Return presented, relative thereto [Address 1st November; *Mr. H. H. Marks*]; to lie upon the Table 268

CIVIL CONTINGENCIES FUND.—Return presented, relative thereto [ordered 28th November; *Mr. McKenna*]; to lie upon the Table, and to be printed. [No. 366.] 268

RAILWAY AND CANAL TRAFFIC ACTS, 1888 AND 1894.—Copy presented, of Ninth Report by the Board of Trade of Proceedings under Section 31 of The Railway and Canal Traffic Act, 1888, including Proceedings upon Complaints made under Section 1 of The Railway and Canal Traffic Act, 1894 [by Act]; to lie upon the Table and to be printed. [No. 367.] 269

RADIOTELEGRAPHIC CONVENTION.—Return presented, relative thereto [ordered 15th November; *Mr. Sydney Buxton*]; to lie upon the Table, and to be printed. [No. 368.] 269

INCOME TAX.—Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 365.] 269

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

DUTIES OF RICHMOND (SURREY) POSTAL STAFF.—Question, Mr. Cave (Surrey, Kingston); Answer, Mr. Sydney Buxton 269

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LOCAL EDUCATION AUTHORITY AND HEAD MASTERSHIP OF ABERDARE TOWN NATIONAL SCHOOLS.—Question, Sir William Anson (Oxford University); Answer, Mr. Birrell 270

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SHIPPING COMBINE AT SINGAPORE.—Question, Mr. Walker (Leicestershire, Melton); Answer, Mr. Churchill 273

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VISITS OF VICE-CONSULS TO TRADE CENTRES.—Question, Mr. Yoxall; Answer, Mr. Lloyd-George 274

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ROYAL IRISH CONSTABULARY FORCE FUND.—Question, Mr. Sloan (Belfast, S.); Answer, Mr. Bryce 279

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NEW MEMBER SWORN.—Arthur James Sherwell, esquire, for the Parliamentary Borough of Huddersfield 321

Town Tenants (Ireland) Bill.—As amended, on consideration, to be printed. [BILL 359.] 321

Workmen's Compensation Bill—As amended by the (Standing Committee), considered.

Mr. Cochrane (Ayrshire, N.) 321

Message to attend the Lords Commissioners.

The House went; and, being returned—

Mr. SPEAKER reported the Royal Assent to: (1) Marriage with Foreigners Act, 1906, (2) Intoxicating Liquors (Ireland) Act, 1906; (3) Clydebank and District Water and Burgh Extension Order Confirmation Act, 1906; (4) Blairgowrie, Rattray, and District Water Board Order Confirmation Act, 1906; (5) Edinburgh Corporation (Superannuation) Order Confirmation Act, 1906; (6) Metropolitan Electric Supply Company Act, 1906; (7) Dover Harbour (Works, etc.) Act, 1906; (8) Great Northern Railway (Ireland) Act, 1906.

Workmen's Compensation Bill.—As amended, further considered.

Mr. Cochrane 324
Mr. Akers-Douglas (*Kent, St. Augustine's*) 326

New Clause—

"(1) For the purpose of enabling small employers to enter more easily into contracts of insurance in respect of their liabilities under this Act, the Postmaster-General may enter into and give effect to agreements with any insurance company approved for the purpose by the Registrar of Friendly Societies, for the issue through the Post Office of policies of insurance in respect of those liabilities granted to any such employer by the company. (2) Regulations made by the Treasury shall prescribe the conditions to be fulfilled by a company to obtain approval under this section, and shall provide for the payment by the company to the Registrar and the Postmaster-General of the amount of any expenses incurred by them in connection with any investigation of the affairs of the company before approval and with the issue of policies granted by the company, and shall contain such further provisions as may be necessary or proper to enable the Postmaster-General to carry into effect this section and any agreement made thereunder. (3) In this section the expression 'small employer' means an employer who, at the time when the policy is issued, has not in his employment more than five workmen, and it shall be a term of every policy issued under this section that if at any time during the Currency of the policy the number of workmen in the employment of the policy holder exceeds five, the policy shall thereupon become null and void, without prejudice to any liability already accrued thereunder, and the company shall repay to the employer such a proportion of the premium paid by him as is attributable to the unexpired portion of the period in respect of which the premium was paid."—(*Mr. Cochrane.*)

Brought up and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

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Mr. Austen Chamberlain (*Worcestershire, E.*) 331
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Mr. Cochrane 337

Amendment, by leave, withdrawn.

Mr. Gladstone 337

Amendment proposed to the Bill—

"In page 1, line 13, to leave out the words 'three days,' and to insert the word 'seven.'"—(*Mr. Secretary Gladstone.*)

Question proposed, "That 'three days' stand part of the Bill."

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Mr. Markham (Notts, Mansfield) .. 348
Mr. Parkes (Birmingham, Central) .. 348
Mr. Brodie (Surrey, Reigate) .. 349
Mr. Walsh (Lancashire, Ince) .. 350
Mr. F. E. Smith (Liverpool, Walton) .. 351
The Under-Secretary of State for the Home Department (Mr. Samuel, Yorks, Cleveland) .. 352

Question put, and negatived.

Proposed words inserted in the Bill.

Mr. Gladstone .. 353

Amendments proposed to the Bill—

"In page 1, line 22, to leave out the words 'the same.'"
"In page 1, line 23, to leave out the words 'as were open to him before the commencement,' and insert the word 'independently.'"—

(*Mr. Gladstone.*)

Amendments agreed to.

Mr. Walsh .. 354

Amendment proposed to the Bill—

"In page 2, line 5, to leave out paragraph (*c*) sub-section (2) of Clause 1."—(*Mr. Walsh.*)

Question proposed, "That the words 'if it is proved that the injury to a workman is' stand part of the Bill."

The Solicitor-General (Sir W. Robson, S. Shields) .. 356
Mr. Bell (Derby) .. 356
Mr. Atherley Jones (Durham, N.W.) .. 357
Mr. Crossley (Cheshire, Altrincham) .. 358
Mr. Gladstone .. 358
Mr. Cory .. 359
Mr. Keir Hardie .. 359
Mr. Samuel Evans (Glamorganshire, Mid.) .. 360
Mr. Stuart Wortley (Sheffield, Hallam) .. 361
Sir Charles Dilke (Gloucestershire, Forest of Dean) .. 362
The Attorney-General (Sir John Walton, Leeds, S.) .. 362
Mr. Fenwick .. 363
Viscount Morpeth (Birmingham, S.) .. 365
Mr. Lupton (Lincolnshire, Sleaford) .. 365
Mr. J. Ward (Stoke-on-Trent) .. 365
Mr. Gladstone .. 366
Mr. Shackleton (Lancashire, Clitheroe) .. 367

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

> "In page 2, line 8, after the word 'shall,' to insert the words 'unless the injury results in death or serious and permanent disablement.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Cochrane .. 367
Sir John Walton .. 368
Mr. Courthope (*Sussex, Rye*) .. 369
Mr. Markham .. 371
Mr. F. E. Smith .. 372
Mr. John Wilson (*Durham, Mid.*) .. 373
Sir Robert Ropner (*Stockton*) .. 375
Mr. John O'Connor (*Kildare, N.*) .. 375
Sir Frederick Banbury .. 376
Mr. R. Duncan (*Lanarkshire, Govan*) .. 377
Mr. William Abraham (*Glamorganshire, Rhondda*) .. 378
Mr. C. Duncan (*Barrow-in-Furness*) .. 378

Question put.

House divded :—Ayes, 286 ; Noes, 27. (Division List No. 454.)

Viscount Morpeth .. 381
Mr. Harmood-Banner (*Liverpool, Everton*) .. 382

Amendment proposed to the Bill—

> "In page 2, line 8, at the end, to insert the words 'Insobriety or the wilful breach of any rule printed and published by the employer for the safety and protection of his workmen shall be serious and wilful misconduct within the meaning of this Act.'"—(*Viscount Morpeth.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone .. 383
Mr. F. E. Smith .. 383
Mr. Gill (*Bolton*) .. 384
Mr. Austen Chamberlain .. 385

Amendment, by leave, withdrawn.

Mr. Harmood-Banner .. 385
Mr. Cory .. 386

Amendment proposed to the Bill—

> "In page 2, line 25, to leave out the word 'may,' and insert the word 'shall.'"—(*Mr. Harmood-Banner.*)

Question proposed, " That the word ' may ' stand part of the Bill."

Sir W. Robson 387
Mr. Samuel Evans 388

Amendment, by leave, withdrawn.

Mr. Clavell Salter (*Hants, Basingstoke*) 388

Amendment proposed to the Bill—

" In page 2, line 38, to leave out the word ' maintainable,' and to insert the words ' commenced except by leave of the Court.' "—(*Mr. Clavell Salter.*)

Question proposed, " That the word ' maintainable ' stand part of the Bill."

Sir W. Robson 389
Mr. Lyttelton (*St. George's, Hanover Square*) 389

Amendment negatived.

Mr. Clavell Salter 390

Amendment proposed to the Bill—

" In page 2, line 39, to leave out the words ' as soon as practicable,' and to insert the words ' within fourteen days.' "—(*Mr. Clavell Salter.*)

Question proposed, " That the words proposed to be left out stand part of the Bill."

Sir W. Robson 391

Amendment negatived.

Mr. Gibbs (*Bristol, W.*) 391
Mr. Harmood-Banner 391

Amendment proposed to the Bill—

" In page 3, line 2, after the word ' made,' to insert the words ' in writing.' "—(*Mr. George Gibbs.*)

Question proposed, " That those words be there inserted in the Bill."

Sir W. Robson 392

Question put, and negatived.

Mr. Evelyn Cecil (*Aston Manor*) 392

Amendment proposed to the Bill—

" In page 3, line 2, to leave out the word ' six,' and to insert the word ' three.' "—(*Mr. Evelyn Cecil.*)

Question proposed, "That the word 'six' stand part of the Bill."

Amendment agreed to.

And, it being Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended (in the Standing Committee), to be further considered on Monday next.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at one minute after Eleven o'clock.

HOUSE OF COMMONS: FRIDAY, 30TH NOVEMBER, 1906.

The House met at Twelve of the Clock.

PETITIONS.

INFECTIOUS DISEASE (IRELAND) BILL.—Petition of the Royal Sanitary Institute, in favour; to lie upon the Table 393

MOTOR VEHICLES ON HIGHWAYS.—Petition from Ripon, for legislation; to lie upon the Table 393

PARLIAMENTARY FRANCHISE.—Petitions for extension to women; from Cardiff (three); and, Selby; to lie upon the Table 393

PUBLIC HEALTH (REGULATIONS AS TO FOOD) BILL.—Petition of the Royal Sanitary Institute, in favour; to lie upon the Table 393

VACCINATION ACTS.—Petition from Derby, for repeal; to lie upon the Table .. 393

VACCINATION PROSECUTIONS BILL.—Petition of the Royal Sanitary Institute, against; to lie upon the Table 393

RETURNS, REPORTS, etc.

WORCESTER ELECTION COMMISSION.—Copy presented, of Report of the Commissioners appointed to inquire into the existence of Corrupt Practices at the Worcester Election, 1906 (Report and Minutes of Evidence) [by Command]; to lie upon the Table 393

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

NAVAL COURTS MARTIAL.—Question, Sir John Benn (Devonport); Answer, Mr. Edmund Robertson 393

REVENUE STAMPING OFFICES IN THE CITY OF LONDON.—Question, Mr. Sears (Cheltenham); Answer, Mr. Asquith 394

MANCHESTER STAMPING OFFICE.—Question, Mr. Sears; Answer, Mr. Asquith 394

IRISH NATIONAL EDUCATION—TRAINING OF JUNIOR ASSISTANT MISTRESSES IN KINDERGARTEN.—Question, Mr. John O'Connor (Kildare, N.); Answer, Mr. Bryce 395

SALARIES OF TEACHERS IN CORCREAGH NATIONAL SCHOOL.—Question, Mr. McKean (Monaghan, S.); Answer, Mr. Bryce 396

ADJOURNMENT.—Resolved, "That this House, at its rising this day, do adjourn till Monday next."—(*Mr. Joseph Pease*) 396

Town Tenants (Ireland) Bill. [THIRD READING.]—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Viscount Castlereagh (*Maidstone*) 397
Mr. Charles Craig (*Antrim, S.*) 402

Amendment proposed—

"To leave out the word 'now' and at the end of the Question to add the words 'upon this day three months.'"—(*Viscount Castlereagh.*)

Question put, "That the word 'now' stand part of the Question."

Mr. J. F. Mason (*Windsor*) 407
Mr. L. Haslam (*Monmouth Boroughs*) 409
Sir D. Dixon (*Belfast, N.*) 410
Mr. Verney (*Bucks., N.*) 410
Lord R. Cecil (*Marylebone, E.*) 410
Mr. Byles (*Salford, N.*) 415
Sir Frederick Banbury (*City of London*) 417
The Chief Secretary for Ireland (*Mr. Bryce, Aberdeen, S.*) 420
Sir E. Carson (*Dublin University*) 423
The Attorney-General for Ireland (*Mr. Cherry, Liverpool, Exchange*) .. 430
Mr. Fell (*Great Yarmouth*) 433

Question put.

The House divdied :—Ayes, 201; Noes, 28. (Division List No. 455.)

Main Question put, and agreed to.

Bill read the third time.

A verbal Amendment made.

Bill passed.

Burials Bill.—[SECOND READING].—Order for the Second Reading read.

The President of the Local Government Board (*Mr. John Burns, Battersea*) 437

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. John Burns.*)

Mr. Austen Chamberlain (Worcestershire, E.) 438

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

Recorders, Stipendiary Magistrates, and Clerks of the Peace Bill—[SECOND READING].—Order for the Second Reading read.

The Under-Secretary of State for the Home Department (*Mr. Herbert Samuel, Yorkshire, Cleveland*) 439

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Herbert Samuel.*)

Mr. Ashley (*Lancashire, Blackpool*) 440

Question put and agreed to.

The Bill was read a second time, and committed for Monday next.

Whereupon Mr. SPEAKER adjourned the house without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-four minutes before Four o'clock till Monday next.

HOUSE OF LORDS: MONDAY, 3RD DECEMBER, 1906.

PRIVATE BILL BUSINESS.

ARDROSSAN, SALTCOATS AND DISTRICT TRAMWAYS ORDER BILL (No. 220).—A Bill to confirm a Provisional Order relating to Ardrossan, Saltcoats and District Tramways 441

DUMBARTONSHIRE TRAMWAYS ORDER CONFIRMATION BILL (No. 221).—A Bill to confirm a Provisional Order relating to Dumbartonshire Tramways .. 441

DUNFERMLINE AND DISTRICT TRAMWAYS ORDER CONFIRMATION BILL (No. 222).——A Bill to confirm a Provisional Order relating to Dunfermline and District Tramways. Were presented to the Earl Beauchamp (for the Lord Hamilton of Dalzell) (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, Sections 8 and 9); read 1ª, and to be printed 441

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petition for Amendment of; of Catholic Congregation of St. Edmund, Amberley; read, and ordered to lie on the Table 441

TRADE DISPUTES BILL.—Petitions for Amendment of; of Railway Companies, shipowners and colliery owners in South Wales; Cardiff Shipowners Association; Cardiff Incorporated Chamber of Commerce; Scottish Ironmasters Association; Lanark Malleable Iron and Steel Manufacturers; Colliery Proprietors in Monmouthshire; Shipowners, etc., in Newport (Monmouthshire); and Merchants and Brokers in Newport (Monmouthshire). Read, and ordered to lie on the Table 441

RETURNS, REPORTS, ETC.

NATAL.—Further correspondence relating to Native disturbances in Natal (in continuation of [Cd. 3027], July, 1906) 441

TRADE REPORTS: ANNUAL SERIES.

No. 3734. Switzerland.

No. 3735. Uruguay (Trade and Finances for 1905).

No. 3736. Persia (Trade of Azerbaija for 1905–6) 442

WORCESTER ELECTION COMMISSION.—Report of the Commissioners appointed to inquire into the existence of corrupt practices at the Worcester Election, 1906. Report and Minutes of Evidence 442

TREATY SERIES, No. 18. (1906).—Agreement between the United Kingdom and Belgium respecting commercial travellers' samples; signed at Brussels, 10th November 1906 442

BOARD OF EDUCATION.—Report of the Board of Education for the year 1905–6.

Presented (by command), and ordered to lie on the Table 442

POST OFFICE TELEGRAPHS (INCLUDING TELEPHONES).—Account showing the gross amount received and expended on account of the Telegraph Service during the year ended 31st March 1906, and the balance of the expenditure over receipts, and additional statement. Laid before the House (pursuant to Act), and ordered to lie on the Table 442

Town Tenants (Ireland) Bill.—Brought from the Commons; read 1ª; and to be printed. (No. 223) 442

Education (England and Wales) Bill.—Further considered on Report (according to Order).

The Marquess of Lansdowne 442

Amendment moved—

"In page 4, line 18, after the words 'and' to insert the word 'either'; in line 21 to leave out from the word 'his' to the end of line 23, and to insert the words 'objection to the facilities; or (c) that suitable provision will be made in the school or elsewhere giving to the children of those parents who declare their objection to the facilities, religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870.'"—(*The Marquess of Lansdowne*).

The Lord President of the Council (The Earl of Crewe) .. 446
Lord Belper .. 448
The Lord Bishop of London .. 449
Lord Stanley of Alderley .. 449
The Earl of Camperdown .. 450
Viscount Halifax .. 450
The Marquess of Salisbury .. 451
The Lord Bishop of Hereford .. 454
The Lord Privy Seal (The Marquess of Ripon) .. 454
The Lord Bishop of Southwark .. 456
The Duke of Devonshire .. 456
The Earl of Crewe .. 457
The Duke of Norfolk .. 458
The Marquess of Lansdowne .. 458

On Question, "That the word 'either' be there inserted," resolved in the affirmative.

On Question, "That the words proposed to be left out stand part of the Bill," Their Lordships divided:—Contents, 45; Not-Contents, 131.

On Question, "That those words be there inserted," resolved in the affirmative.

The Earl of Crewe .. 461

Amendment moved—

"In page 4, line 35, after the word 'school' to insert the words 'for facilities for religious instruction of a like special character.'"—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Amendment moved—

"In page 4, line 41, after the word 'school' to insert the words 'and the owners of the schoolhouse shall have power to forego the payment of any rent payable under any arrangement or order while extended facilities are so afforded.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe .. 461

Amendment moved—

"To leave out Clause 5."—(*The Earl of Crewe*).

Viscount Llandaff .. 462
Lord Ashbourne .. 463
The Earl of Crewe .. 463

On Question, Amendment agreed so.

Lord Davey 463
The Lord Bishop of Oxford 467
The Earl of Crewe 469
Viscount St. Aldwyn 469

Amendment moved—

"In page 7, line 13, after the word 'including' to insert the words 'the interest of secular instruction'; and in line 14 after the word 'children' to insert the words 'and the economy of the rates.'"—(*Viscount St. Aldwyn*).

The Earl of Crewe 470
The Marquess of Londonderry 470

On Question, Amendment agreed to.

The Lord Bishop of London 470

Amendment moved—

"To insert the following new clause '(1) The local education authority may afford such opportunities as they think fit for the inspection of any religious instruction given in any public elementary school provided by them, by a person not being one of His Majesty's inspectors, and shall, if required by or on behalf of persons who are responsible for the provision of religious instruction of some special character in pursuance of any facilities afforded under this Act for the purpose (other than facilities afforded on account of there being only one public elementary school in a rural area), give up at least one full and unbroken school day annually for the purpose of the inspection of the special religious instruction, and allow the use of the schoolhouse for the purpose free of charge. (2) During the hours given up to any inspection for which an opportunity is afforded under this section, the school shall be closed for any purpose other than that of the inspection. (3) No part of the expenses of conducting any inspection of religious instruction of a special character for which an opportunity is afforded under this section shall be paid by the local education authority. (4) At least fourteen days before an inspection is held in pursuance of this section notice of the time set apart for the inspection shall be read out publicly in the school."—(*The Lord Bishop of London.*)

The Earl of Crewe 471

On Question, Amendment, as amended, agreed to.

The Marquess of Lansdowne 472

Amendment moved—

"In page 7, line 33, to leave out from the word 'instruction' to the word 'a' in line 35."—(*The Marquess of Lansdowne.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

The Earl of Crewe 473

Amendment moved—

"In page 8, line 7, after the word 'teacher' to insert the words 'seeking employment or,' and after the word 'school' to insert the words 'otherwise than as a teacher of religious subjects only.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 9, line 3, to leave out from the beginning of the clause to the word 'subject' in line 29, and insert: '(1) Where the schoolhouse of an existing voluntary school is held under charitable trusts, and no arrangement has been made with respect to the schoolhouse by agreement under this Act, the local education authority may, at any time after the first day of May, nineteen hundred and seven, apply to the Commission appointed under this Act to determine with respect to the trusts of the schoolhouse the question whether the use of the schoolhouse for the purposes of a public elementary school by the local education authority in accordance with this Act is the best mode of giving effect to those trusts, and if the Commission determine that question in the affirmative, the Commission may then make an order requiring the owners of the schoolhouse to give, and the local education authority to take, such use of the school-house as is required for the purpose of carrying on a public elementary school provided by the authority.'"—(*The Earl of Crewe.*)

The Earl of Crewe 474
The Marquess of Salisbury 475

On Question Amendment agreed to.

The Lord Bishop of Wakefield 475

Amendment moved—

"In page 9, line 41, after the word 'considered' to insert the words 'but such conditions shall include, if desired by the owners, a provision requiring the affording of facilities in accordance with this Act.'"—(*The Lord Bishop of Wakefield.*)

The Earl of Crewe 476
The Marquess of Salisbury 477
Lord Davey 477
Lord Barnard 478
The Lord Bishop of Wakefield 478

Amendment, by leave, withdrawn.

Amendment moved—

"In page 10, line 1, to leave out sub-sections (3), (4), and (5), and to insert—'(2) In determining any such question or in making any such order the Commission shall act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court, but they shall not treat a proposal to carry on an elementary school as a proper mode of giving effect to the trusts of the schoolhouse unless sufficient guarantee is given for the effective continuance of the school for a period of at least five years.'"—(*The Earl of Crewe.*)

Viscount Llandaff 479

Amendment moved to the proposed Amendment—

"To delete from the proposed new sub-section (2) all words after 'inherent in that Court.'"—(*Viscount Llandaff.*)

The Earl of Camperdown 479
The Earl of Crewe 479
Lord Ashbourne 480
Lord Stanley of Alderley 481

On Question, the Amendment to the proposed Amendment negatived.

On Question, Amendment, as amended by the words of Lord Stanley of Alderley, agreed to.

The Earl of Crewe 481

Amendment moved—

"To insert the following new sub-section, '(3) If the owners of a schoolhouse in respect of which an application is made by the local education authority under this section, desire that a scheme should be made by the Commission with reference to the mode in which effect is to be given to the trusts of the schoolhouse in the future, so far as effect is not given to those trusts by the order (if any) made by the Commission under this section, the Commission may make a scheme accordingly, and in making such a scheme shall act in accordance with the principles which they are required to follow in making an order under this section.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 482

Amendment moved—

"After Clause 2, to insert the following clauses, '(1) Where the local education authority fail to accept an arrangement offered to them by the owners of the schoolhouse of an existing voluntary school as regards the use of the schoolhouse, and the school is one in respect of which extended facilities are desired, the owners of the schoolhouse may

appeal to the Commission appointed under this Act, and that Commission may, if they are satisfied that the conditions as to the fulfilment of which a local education authority must be satisfied before they can grant extended facilities in a school under this Act are fulfilled in the case of the school, and that the schoolhouse is structurally suitable, and, if they otherwise think fit after considering the circumstances of the case, and the wishes of the parents of children attending the school, as to the continuance of the school with extended facilities, by order require the local education authority to continue the school as a public elementary school provided by them, on such terms and conditions as respects the use of the schoolhouse as may be provided by the order, and to afford the extended facilities desired, but if under any special circumstances of the case the Commission think it expedient, they may, after consulting the Board of Education instead of making such an order make an order allowing the school to continue as a State aided school. (2) The certificate of the Board of Education as to the result of a ballot taken with respect to the wishes of parents, or as to whether a schoolhouse is structurally suitable or not, or whether any condition as to public school accommodation is satisfied, shall be treated as conclusive by the Commission.' "—(*The Earl of Crewe.*)

The Duke of Devonshire 483

Amendment moved—

"To amend the proposed new clause, as follows:—In line 4, to leave out the word 'extended'; in line 5, after the word 'facilities' to insert the words 'in accordance with Sections 3 or 4 of this Act'; in line 7, to leave out the word 'may' and to insert the word 'shall,' and to leave out the words 'if they are satisfied that the conditions as to the fulfilment of which a local education authority must be satisfied before they can grant extended facilities in a school under this Act are fulfilled in the case of the school, and that the schoolhouse is structurally suitable, and, if they otherwise think fit, after considering the circumstances of the case, and the wishes of the parents of children attending the school, as to the continuance of the school with extended facilities' and to insert the words 'unless they are of opinion that the schoolhouse is not structurally suitable, or that the school is not required to meet the wishes of the parents as regards the religious instruction of their children, or that, after taking these matters into consideration, there are still sufficient grounds for refusal'; in line 18, to leave out the words 'extended,' and to leave out from the word 'desired' to the end of the sub-section (1) and to insert the words 'in accordance with this Act'; and in line 26, after the word 'condition' to insert the words 'prescribed in Section 4 of this Act.'" —(*The Duke of Devonshire.*)

The Earl of Crewe 489
Lord Stanley of Alderley 493
Lord Ashbourne 496
Lord Clifford of Chudleigh 500

On Question, "That the word 'extended' stand part of the Amendment," their Lordships divided:—Contents, 34; Not-contents, 103.

On Question, "That the words 'in accordance with section 3 or 4 of this Act' be inserted after the word 'facilities,'" resolved in the affirmative.

Page

On Question, "That the word 'may' stand part of the Amendment," resolved in the negative.

On Question, "That the remainder of the Amendments to the Amendment be agreed to," resolved in the affirmative.

On Question, "That the new clause as amended stand part of the Bill," resolved in the affirmative.

The Earl of Crewe 502

Amendment moved—

"To insert as a new clause—'(1) A scheme or order made by the Commission shall have effect as if enacted by this Act, provided that—(*a*) a scheme made by the Commission may be altered by a scheme made by the Board of Education in the same manner and subject to the same provisions as a scheme made by the Board in pursuance of their powers under the Charitable Trusts Acts, 1853 to 1894; and.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 503

Amendment moved—

"To insert after the words last added—'(*b*) An order made by the Commission may be varied or cancelled by agreement between the local education authority and the owners of the schoolhouse at any time, and by the Board of Education at any time after the expiration of five years from the date of the commencement of the original order, on any application made for the purpose by the authority or the owners, but no such application shall be entertained by the Board unless a period of at least one year has elapsed since the date of the decision of the Board on the last application under this provision. The Board of Education, in considering any application for the varying or cancelling of an order shall be subject to the same provisions as those to which the Commission are subject under this Act in making the original order. When an application for the varying or cancelling of an order is made by a local education authority, that authority shall, if required by the Board of Education for the purpose of their decision on the application, hold a ballot in accordance with this Act as to the wishes of the parents with respect to extended facilities.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"To insert as a new clause, 'The parents of at least twenty children attending a transferred voluntary school, or the parents' committee, if aggrieved by the mode in which extended facilities are afforded by a local education authority, may appeal to the Board of Education, and that Board, if satisfied, after considering the circumstances of the case, that there are reasonable grounds for the appeal, may make an order allowing the school to continue as a State-aided school and providing so far as necessary for the cancelling of any arrangement or order made with respect to the transfer or use of the schoolhouse, and for any other matter for which provision is required in connection with the order of the Board under this section.' "—(*The Earl of Crewe.*)

Lord Ashbourne 505

Amendment moved to the proposed clause—

"In line 7, leave out from 'order' to the end of the clause, and insert 'prescribing the mode in which extended facilities shall be carried out.' "—(*Lord Ashbourne.*)

The Earl of Crewe 505
The Marquess of Salisbury 505

On Question, "That those words be there inserted," resolved in the affirmative.

New Clause, as amended, agreed to.

Amendment moved—

"To insert as a new clause, 'Where an order is made under this section allowing a school to continue as a State-aided school, the Board of Education may, notwithstanding anything in this or any other Act, pay to that school the Parliamentary grants which would be payable in respect of the school or the scholars in the school if it was a public elementary school, so long as the Board are satisfied that the regulations contained in paragraphs one, two, and three of section seven of the Elementary Education Act, 1870 (a copy of which shall conspicuously put up in the school), and such other conditions as they prescribe as conditions for the payment of the grant, are complied with in the case of the school. A State-aided school shall not be treated as a public elementary school except for the purpose of the Elementary School Teachers (Superannuation) Act, 1898, and any other purpose which may be prescribed by the Board of Education.' "—(*The Earl of Crewe.*)

Lord Ashbourne 506

Amendment to the new clause moved—

"To insert at the beginning the following words 'if the Commission think fit after consulting the Board of Education, they may, in the case of any existing or transferred voluntary school which fulfils the conditions requisite before extended facilities can be granted under this Act, make an order continuing such school as a State-aided school—(*a*) if the applicants for the facilities desire that instead of the facilities being granted such an order should be made; or (*b*) if the parents' committee complain of the mode in which extended facilities are afforded by the local education authority, and desire that, in lieu of any other remedy, such an order should be made; provided that in no cases shall such an order be made unless the owners of the schoolhouse consent, and the Commission are satisfied that the estimated income of the school from endowments, fees, and voluntary contributions will secure a standard of maintenance not inferior to that of the other public elementary schools in the area. The order may provide so far as necessary for the cancelling of any arrangement or order made with respect to the transfer or use of the schoolhouse, and for any other matter for which provision is required in connection with the order of the Commission under this section."—(*Lord Ashbourne.*)

The Earl of Crewe 507

On Question, Amendment, as amended, agreed to.

New clause, as amended, agreed to.

The Earl of Crewe 508

Amendment moved—

"In page 10, line 33, at the beginning of the line, insert 'The Commission may act by any two of their number and notwithstanding any vacancy in their number."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 509

Amendment moved—

"In page 10, line 40, after the word 'law' to insert as a separate sub-section :—'(6) The Commission may appoint or employ such number of officers and persons as they think necessary for the purpose of assisting in the execution of their duties under this Act, and may remove any officer or person so appointed or employed, and, for the purpose of obtaining any information which the Commission may require, may direct any commissioner or any such officer or person to hold an inquiry. But nothing in this Act shall authorise the Commission to delegate the decision of any point which it is their duty to decide under this Act, or the making of a scheme or order under this Act.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendments moved—

"In page 11, lines 2 and 3, to leave out '31st day of December, 1908,' and insert 'the 1st of July, 1909.'"

"In page 11, line 12, to leave out 'January' and insert 'July.'"

"In page 11, line 13, after 'eight' to insert 'or from the appointed date, if the schoolhouse is in an area for which a later date is appointed for the operation of section one of this Act' and to leave out 'January' and insert 'July.'"—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

Viscount Llandaff 509

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Amendment moved—

"In page 11, line 34, after the word 'effect,' to insert the following new sub-sections:—'(4) In all schools used by the local education authority under this section, and in all State-aided schools, there shall be a parents' committee elected and nominated as provided in Section 4 of this Act, and all the provisions hereinbefore contained with reference to the parents' committee shall apply to the parents' committee in those schools. (5) If any question arises between the local education authority and the parents' committee of any school as to the proper and adequate fulfilment of their duties by the committee, such question shall be referred to the Board of Education, whose decision shall be final, and shall be complied with by the local education authority and the parents' committee. (6) The powers of managers under Section 76 of the Elementary Education Act, 1890, shall, after the passing of this Act, be exercised by the parents' committees appointed under this Act.'"—(*Viscount Llandaff.*)

The Earl of Crewe 510
Viscount St. Aldwyn 511
Lord Belper 511
The Earl of Crewe 511

On Question, Amendment negatived.

Amendments moved—

"In page 11, line 37, to leave out the word 'January' and insert the word 'July' and after the word 'eight' to insert the words 'or the appointed date, if the school is in an area for which a later date is appointed or the operation of Section 1 of this Act.'"

"In page 12, line 1, to leave out the word 'January' and insert the word 'July.'"

"In page 12, line 33, to leave out the word 'January' and insert the word 'July' and after the word 'eight' to insert the words 'or before the appointed date, if the schoolhouse is in an area for which a later date is appointed for the operation of Section 1 of this Act.'"

"In page 13, line 14, to leave out the word 'January' and insert the word 'July.'"

"In page 13, line 15, after the word 'eight' in sert the words 'or the appointed date, if the schoolhouse is in an area for which a later date is appointed for the operation of Section 1 of this Act.'"—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

The Earl of Crewe 512

Amendment moved—

"In page 12, line 34, after the word 'Education' to insert the following new sub-section :—'(3) Nothing in this Act shall affect any power or authority of the Board of Education or Charity Commissioners or of any Court to make schemes or orders with reference to charitable trusts.' "—(*The Earl of Crewe.*)

Lord Barnard 513
The Marquess of Salisbury 513
The Earl of Crewe 513

Amendment, by leave withdrawn.

The Earl of Crewe 513

"In page 12, line 34, to insert the following new sub-section—'(4) The power of the Commission to make an order or scheme with respect to a schoolhouse and the power of the local education authority to use a schoolhouse temporarily under this Act shall not, where that power arises under provisions of this Act which are confined in their application to schoolhouses held under charitable trusts, be exercised in such a manner as to bind or restrict any interest in the schoolhouse which is not subject to those trusts without the consent of the persons in whom that interest is vested."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

The Earl of Crewe 514

Amendment moved—

"In page 14, lines 10 and 11, to leave out the words 'of voluntary schools' and to insert the words 'for the purpose of a public elementary school.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Lord Belper 514

Amendment moved—

"In page 14, line 34, after the word 'them,' to insert the words, 'Provided that in any case where the powers and duties conferred on a local education committee entail the expenditure of money, such committee shall be so constituted as to ensure that not less than two-thirds of the whole body shall be representative members, who may be either elected for the purpose by the Local Government or parochial electors of the delegation area, or members of the district or parish councils within the delegation area, or members of the county council representing any electoral division which lies wholly or partly within the delegation area.' "—(*Lord Belper.*)

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The Earl of Crewe 519
Viscount St. Aldwyn 521
Lord Clifford of Chudleigh 521
Lord Fitzmaurice 522

On Question, "That those words be there inserted," resolved in the affirmative.

Amendments moved—

"In page 14, lines 35 and 36, to leave out the words 'nominated as such additional members and to insert the words 'members of local education committees'; in line 37, to leave out the words 'so nominated' and to insert the words 'of those committees.'"

"In page 15, line 25, after the word 'committee' to insert the words 'and in that case no managers shall be appointed under that section.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Lytton 523

Amendment moved—

"In page 15, line 26, to leave out the words from the beginning of sub-section (9) to the word 'shall' in line 3, and insert the words 'a scheme under this section shall provide for the rendering by each local education committee to the county council of accounts of the expenditure incurred by that body, and all expenditure properly incurred by that body shall be defrayed by the county council and the accounts of that body.'"

"In page 15, line 31, to leave out the words 'audited as.'"

"In line 32, to leave out the words 'and in that case' and insert the words 'provided that.'"—(*The Earl of Lytton.*)

The Earl of Crewe 524
The Marquess of Salisbury 525
Lord Belper 525
Lord Fitzmaurice 525
The Earl of Lytton 526

Amendment, by leave, withdrawn.

The Earl of Crewe 527

Amendment proposed—

"In page 16, line 3, after the word 'area' to insert as a new sub-section:—'In any case where the powers of the local education authority with respect to enforcing school attendance are delegated to a local education committee under this section, paragraph (3) of the Third Schedule to the Education Act, 1902, shall have effect as if members of that committee were substituted for members of the education committee.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Viscount Cross 528
The Earl of Crewe 528

Amendment moved—

"In page 17, line 7, after the word 'Board' to insert the words 'of Education or the Local Government Board as the case requires.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"In page 17, line 10, after the word 'made' to insert as a new sub-section: '(4) A council shall have power, with the consent of the Board of Education, to alienate any land or buildings acquired or held by them for the purposes of education other than elementary under Part II. of the Education Act, 1902, and in the case of the sale of any such land or buildings, the proceeds of sale shall be applied in such manner as the Board of Education sanction towards the discharge of any loan of the council under the Education Acts, or otherwise for any purpose for which capital may be applied by the council under those Acts.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 529

Amendment moved—

"To insert as a new clause: the consent of the Board of Education shall be substituted for the consent of the Secretary of State for the Home Department in cases where the consent of the said Secretary of State is, at the time of the passing of this Act, required under Section 14 of the School Sites Act, 1841, and Section 1 of the School Grants Act, 1855, which relate to sales, exchange, or mortgages of school premises.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

The Earl of Stamford 529

Amendment moved—

"To insert as a new clause: 'The power of a council to provide scholarships for or pay the fees of students under sub-section (2) of Section 23 of the Education Act, 1902, shall include a power, subject to such condition (if any) as may be made by the council, to provide or assist in providing scholarships for, or to pay or assist in paying the fees of, students, if at the time the scholarship is awarded or the payment of the fees is determined upon, the scholar is ordinarily resident in the area of the council, although the student subsequently ceases to be so resident.'"—(*The Earl of Stamford.*)

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The Earl of Crewe 530

On Question, Amendment, as amended, agreed to.

Drafting Amendment agreed to.

Lord Belper 530
The Earl of Crewe 531

Amendment moved—

"To insert as a new clause: 'An application may be made under Section 14 of the Charitable Trusts Act (32 & 33 Vict. c. 110), 1869, to the Board of Education by the governing body of any association of voluntary schools in respect of any funds or property held or administered by them as if they were the trustees of a charity exempted from the operation of the Charitable Trusts Act.'"—(*The Lord Bishop of Salisbury.*)

The Lord Bishop of Wakefield 531
The Earl of Crewe 532
Lord Fitzmaurice 533

Amendment, by leave, withdrawn.

Amendment moved—

"To insert as a new clause: 'The Board of Education may, on the application of the governing body of any association of voluntary schools as respects any funds or property held or administered by that body at the date of the passing of this Act, and on the application of the managers of any existing voluntary school as respects any funds held by them at the date of the passing of this Act on account of payments made to them under paragraph (12) of the Second Schedule to the Education Act, 1902, make an order or scheme under the Charitable Trusts Acts, 1853 to 1894, for the administration or application of the funds or property so held, notwithstanding that the whole or any part of those funds or that property may be exempt from the operation of the said Acts.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Lord Bishop of Wakefield 534

Amendment moved—

"In page 20, line 22, to leave out the word 'certificated,' and after 'teacher' to insert the words 'other than a pupil teacher or probationer.'"—(*The Lord Bishop of Wakefield.*)

The Earl of Crewe 535
The Marquess of Lansdowne 536
The Marquess of Londonderry 537

On Question, Amendment negatived.

Amendments moved—

"In page 20, line 26, after the word 'salary' to insert the words 'or emolument.'"

"In line 37, after the word 'salary' to insert the words 'or emolument.'"—(*The Earl of Crewe.*)

Viscount St. Aldwyn 538
The Marquess of Salisbury 538
The Earl of Crewe 538

On Question, Amendments negatived.

Drafting Amendments agreed to.

Bill to be read 3a on Thursday next, and to be printed as amended. (No. 224.)

House adjourned at a quarter past Twelve o'clock a.m., till half-past Ten o'clock a.m.

HOUSE OF COMMONS: MONDAY, 3RD DECEMBER, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

SMALL LANDHOLDERS (SCOTLAND) BILL.—Petition from Edderton, for alteration; to lie upon the Table 539

RETURNS, REPORTS, ETC.

POST OFFICE TELEGRAPHS, INCLUDING TELEPHONES.—Account presented, showing the gross amount received and expended on account of the Telegraph Service during the year ended 31st March, 1906, etc. [by Act]; to lie upon the Table, and to be printed. [No. 369] 539

TREATY SERIES (No. 18, 1906).—Copy presented, of Agreement between the United Kingdom and Belgium respecting Commercial Travellers' Samples. Signed at Brussels, 10th November, 1906 [by Command]; to lie upon the Table 539

TRADE REPORTS (ANNUAL SERIES).—Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3734 to 3736 [by Command]: to lie upon the Table 539

NATAL.—Copy presented, of Further Correspondence relating to Native Disturbances in Natal [by Command]; to lie upon the Table 539

BOARD OF EDUCATION.—Copy presented, of Report of the Board of Education for the year 1904–5 [by Command]; to lie upon the Table 539

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QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

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WITHDRAWAL OF CAVALRY FROM SCOTLAND.—Question, Mr. McCrae (Edinburgh, E.); Answer, Mr. Haldane 542

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GRANTS TO FISHERMEN ON SOUTH-EAST COAST OF IRELAND.—Question, Sir Thomas Esmonde; Answer, Mr. Bryce 552

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MESSAGE FROM THE LORDS.—That they have agreed to certain of the Amendments made by this House to the Marine Insurance Bill [Lords], without Amendment; they agree to certain other of the said Amendments, with

Amendments, and have made consequential Amendments to the Bill, to which they desire the concurrence of this House; they disagree to certain other of the said Amendments, but have made Amendments in lieu thereof, to which they desire the concurrence of this House; and they disagree to certain other of the said Amendments, for which disagreement they assign their reasons 603

NEW BILL.

Employers' Liability Insurance Companies Bill.—"To apply the provisions of the Life Assurance Companies Acts, 1870 to 1872, to companies carrying on the business of insuring employers against liability to pay compensation or damages to workmen in their employment," presented by Mr. Kearley; to be read a second time upon Thursday, and to be printed. [Bill 360.] 604

Plural Voting Bill.—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the Third time."

Sir Henry Kimber (Wandsworth) 604
Mr. F. E. Smith (Liverpool, Walton) 611

Amendment proposed—

"To leave out all the words after 'that' and insert the words, 'This House declines to pass a Bill having for its sole object the prohibition and penalising of a large class of His Majesty's subjects in the exercise of admitted rights and franchises (1) without consideration being given to the whole subject of electoral franchise, and (2) without any relief from the known gross anomalies involved in the present representation of the people in this House, which urgently calls for a redistribution of electoral power and also (3) without any consideration of the previous constitutional question whether any relation between representation and taxation is to be permanently abandoned, or to what extent it is to be preserved.'"—(*Sir Henry Kimber.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

The First Commissioner of Works (Mr. Harcourt, Lancashire, Rossendale) 620
Mr. Walter Long (Dublin, S.) 625
Sir Brampton Gurdon (Norfolk, N.) 631
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Mr. J. Wood (Stoke-on-Trent) 649
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Sir Frederick Banbury (City of London) 661
Mr. Osmond Williams (Merionethshire) 663
Mr. Rawlinson (Cambridge University) 664
Mr. A. J. Balfour (City of London) 666
The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 675

Question put.

The House divided:—Ayes, 333; Noes, 104. (Division List No. 456.)

Main Question put, and agreed to. Bill read the Third time, and passed.

Bankers (Ireland) Act Repeal Bill.—Order for Second Reading read, and discharged. Bill withdrawn 683

Supreme Court of Judicature (Ireland) Bill—Order for Second Reading read, and discharged. Bill withdrawn 683

Naval Lands (Volunteers) Bill.—Order for Second Reading read, and discharged. Bill withdrawn 683

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at seven minutes after Eleven o'clock.

HOUSE OF LORDS: TUESDAY, 4TH DECEMBER, 1906.

The Lord Botreaux (E. Loudoun) took the Oath.

PETITIONS.

TRADE DISPUTES BILL.—Petitions for Amendment of; of owners of shipyards, engineering works, factories, and other works on the north-east coast of England; Glasgow Master Wrights Association; Clyde Steamship Owners Association; Huddersfield Incorporated Chamber of Commerce; and Steel Ingot Makers Association: Read, and ordered to lie on the Table 685

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against, of inhabitants of, or parents of children attending schools in parishes of Bamber Bridge; Brinksway; Ayot (St. Laurence); Llangibby; Barry (St. Paul's); Port Talbot (St. Theodore); Newcastle Emlyn; Kemp Town; Bathwick; Douglas; Platt; Major with Redwick; Everton (St. Cuthbert); Machen; St. Catharines; Burford; Baglan; Rumney; Penrhwceiber; Cucklington; Norton Marleward; Melbourne; Naunton; Usk and Glascoed; Watford; Hardwicke; Holystone; Stanhoe; Birkenhead; Hardwicke; Bathwick; Staud; Ribby-with-Rea; Wanstrow; and Marston-Biggott; of clergy and laity in diocese of Southwark; and laity in diocese of Southwark; of trustees of Church of England Schools in England and Wales, signing; of persons signing.

Read, and ordered to lie on the Table 685

RETURNS, REPORTS, ETC.

COLONIES : ANNUAL.—No. 511 Sierra Leone (Report for 1905). 685

INTERNATIONAL LABOUR CONFERENCE (BERNE, 1906).—Memorandum on the International Conference on Labour Regulation held at Berne, September, 1906 ; with the text of the documents signed at the conference.

Presented (by Command) and ordered to lie on the Table 686

SUPERANNUATION.—Treasury Minute, date 6th November, 1906, declaring that Alexander Robertson, telegraph clerk, sixth class, Post Office, was appointed without a civil service certificate through inadvertance on the part of the head of his department.

Treasury Minute, dated November 27th, 1906, granting a retired allowance to William Ward, second division clerk, War Office, under Section 2 of the Superannuation Act, 1887.

Laid before the House (pursuant to Act) and ordered to lie on the Table 686

Plural Voting Bill.—Brought from the Commons ; read 1ª and to be printed. (No. 225) 686

Trade Disputes Bill.—[SECOND READING.]—Order of the Day for the Second Reading read.

The Lord Chancellor (*Lord Loreburn*) 686

Moved, " That the Bill be now read 2a."—(*The Lord Chancellor.*)

The Marquess of Lansdowne 695
The Earl of Halsbury 704
Lord Coleridge 709
Lord Kelvin 714
Lord Muskerry 714
Lord James of Hereford 716
Earl Russell 720
The Lord Bishop of Southwark 721
Lord Balfour of Burleigh 725
The Lord President of the Council (*The Earl of Crewe*) 730

On Question, Bill read 2a and committeed to a Committee of the Whole House.

House adjourned at Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS: TUESDAY, 4TH DECEMBER, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Falkirk and District Tramways (Extensions) Order Confirmation Bill.—"To confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Falkirk and District Tramways," presented by Mr. Sinclair; and (under Section 9 of the Act) ordered to be read a second time upon Wednesday, 12th December, and to be printed. [Bill 361.] 735

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING)—Petition from Barton le Street, against alteration of Law; to lie upon the Table 735

INDO-CHINESE OPIUM TRAFFIC—Petition from Low Leighton, for suppression; to lie upon the Table 735

LICENSING ACTS.—Petition from Moston, for alteration of Law; to lie upon the Table 735

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.—Petition from Kidderminster, in favour, to lie upon the Table 736

RETURNS, REPORTS, ETC.

CONVOCATIONS OF CANTERBURY AND YORK (LETTERS OF BUSINESS)—Return [presented 29th November] to be printed. [No. 370.] 736

STREET BETTING (CONVICTIONS).—Return [presented 29th November] to be printed. [No. 371.] 736

INTERNATIONAL LABOUR CONFERENCE (BERNE, 1906).—Copy presented, of Memorandum on the International Conference on Labour Regulation held at Berne, September, 1906, with the Text of the Documents signed at the Conference [by Command]; to lie upon the Table 736

SUPERANNUATION ACT, 1884.—Copy presented, of Treasury Minute, dated 6th November, 1906, declaring that Alexander Robertson, Telegraph Clerk, Sixth Class, Post Office, was appointed without a Civil Service Certificate through inadvertence on the part of the Head of his Department [by Act]; to lie upon the Table 736

SUPERANNUATION ACT, 1887.—Copy presented, of Treasury Minute, dated 27th November, 1906, granting to William Ward, Second Division Clerk, War Office, a retiring allowance under the Act [by Act]; to lie upon the Table 736

COLONIAL REPORTS (ANNUAL).—Copy presented, of Colonial Report No. 511 (Sierra Leone, Report for 1905) [by Command]; to lie upon the Table .. 736

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

IMPERIAL SERVICE ORDER FOR POLICE OFFICIALS.—Question, Mr. Villiers (Brighton); Answer, Mr. Gladstone 736

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PROMOTION IN DUNDEE POST OFFICE.—Question, Mr. Wilkie (Dundee); Answer, Mr. Sydney Buxton 737

VACANCIES FOR MALE LEARNERSHIPS IN DUBLIN.—Question, Mr. J. P. Nannetti (Dublin, College Green); Answer, Mr. Sydney Buxton 738

SUGGESTED BRITISH CONSUL AT LORIENT AND HENNEBONT.—Question, Mr. L. Haslam (Monmouth Boroughs); Answer, Sir Edward Grey 738

TRANSFERS OF TELEGRAPHISTS.—Question, Mr. Wood (Glasgow, St. Rollox); Answer, Mr. Sydney Buxton 738

AMOUNT OF FOREIGN MEAT CONDEMNED.—Question, Mr. Ridsdale (Brighton); Answer, Mr. John Burns 738

IMPORTED MEAT AND THE UNITED STATES BEEF TRUST.—Question, Mr. Ridsdale ?—Answer, Mr. Lloyd George 739

UNCERTIFIED DEATHS.—Question, Mr. Corrie Grant (Warwickshire, Rugby); Answer, Mr. Gladstone 739

REPAIR OF ROADWAY ADJOINING OLD PALACE YARD.—Question, Mr. Stuart Wortley (Sheffield, Hallam); Answer, Mr. Harcourt 740

CHAIRMEN OF LIBRARY COMMITTEES.—Question, Mr. Horniman (Chelsea); Answer, Mr. John Burns 740

QUESTIONS IN THE HOUSE.

CHOCOLATE MAKING AT DEPTFORD.—Question, Mr. T. F. Richards (Wolverhampton, W.); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 740

FLOUR STOCKS AT DEPTFORD.—Question, Mr. T. F. Richards; Answer, Edmund Robertson 741

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SUB-TARGETS FOR THE ARMY.—Question, Mr. Guy Baring (Winchester); Answer, Mr. Haldane 742

VOLUNTEER CAMPS.—Question, Mr. McCrae (Edinburgh, E.); Answer, Mr. Haldane 743

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TECHNICAL TRAINING OF SOLDIERS.—Question, Mr. Clynes (Manchester, N.W.); Answer, Mr. Haldane 744

LORD ESHER'S COMMITTEE.—Question, Mr. Meysey-Thompson (Straffordshire, Handsworth); Answer, Mr. Haldane 744

ARMY RECRUITING.—Question, Mr. Meysey-Thompson; Answer, Mr. Haldane 745

BENGAL DIRECTOR OF PUBLIC INSTRUCTION.—Question, Dr. Hazel (West Bromwich); Answer, The Secretary of State for India (Mr. Morley, Montrose Burghs) 745

MOHINDAR COLLEGE, PATIALA.—Question, Dr. Hazel; Answer, Mr. Morley .. 745

THE COLONIAL CONFERENCE.—Questions, Mr. Scott (Ashton-under-Lyne), Sir Gilbert Parker (Gravesend); Answers, the Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 746

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GIRL LABOUR IN EGYPTIAN COTTON MILLS.—Question, Mr. J. M. Robertson (Northumberland, Tyneside); Answer, Sir Edward Grey 747

TAX SURVEYORS.—Question, Mr. Summerbell (Sunderland); Answer, The Chancellor of the Exchequer (Mr. Asquith, Fifeshire, E.) 747

RACE SUICIDE.—Questions, Mr. Wedgwood (Newcastle-under-Lyme), Dr. Hazel; Answers, Mr. Asquith 748

THE GERMAN GIPSIES.—Question, Sir Howard Vincent; Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 749

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ASSISTANT LADY INSPECTORS.—Question, Mr. Chiozza Money (Paddington, W.); Answer, Mr. Gladstone 750

PRODUCTION OF CALF LYMPH.—Question, Mr. Lupton (Lincolnshire, Sleaford); Answer, Mr. Gladstone 750

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RAILWAY INSPECTION BY THE BOARD OF TRADE.—Question, Mr. Chiozza Money; Answer, Mr. Lloyd-George 752

MUNICIPAL TRADING.—Question, Mr. Jowett (Bradford, W.); Answer, Mr. Lloyd-George 753

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PERMANENT SECRETARY OF THE BOARD OF TRADE.—Question, Mr. D. A. Thomas (Merthyr Tydvil); Answer, Mr. Lloyd-George 753

MINERALS—WAGES AND ROYALTIES.—Questions, Mr. Jowett, Mr. Chiozza Money; Answers, Mr. Lloyd-George 754

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EDINBURGH PUBLIC GARDENS.—Questions, Mr. O'Grady (Leeds, E.), Mr. J. Ward (Stoke-upon-Trent); Answers, The Secretary for Scotland (Mr. Sinclair, Forfarshire) 764

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FISH-CURING BRANDS.—Question, Mr. Boland (Kerry, S.); Answer, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 765

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MULLINGAR POLICE.—Question, Mr. Ginnell (Westmeath, N.); Answer, Mr. Bryce 766

MR. BARRINGTON'S NEWPORT ESTATE.—Questions, Mr. Hogan (Tipperary, N.), Mr. Lundon (Limerick, E.); Answers, Mr. Bryce 767

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MR. GRADWELL'S COOLE ESTATE.—Question, Mr. Ginnell; Answer, Mr. Bryce 768

WESTMEATH EVICTED TENANTS.—Question, Mr. Ginnell; Answers, Mr. Bryce 769

WESTMEATH UNTENANTED LANDS.—Question, Mr. Ginnell; Answer, Mr. Bryce 769

LADY BATHURST'S CAPPAMORE ESTATE.—Question, Mr. Lundon; Answer, Mr. Bryce 770

HERBERTSTOWN EVICTED TENANTS.—Question, Mr. Lundon; Answer, Mr. Bryce 770

"DUFFY AND BAILEY *v.* LONSDALE."—Question, Mr. Halpin, Mr. Macveagh (Down, S.); Answer, Mr. Bryce 771

KILMANAGH EVICTED TENANT.—Question, Mr. Meagher (Kilkenny, N.); Answer, Mr. Bryce. 771

LAND COMMISSION APPEALS.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Bryce 772

CASTLEINCH EVICTED TENANTS.—Question, Mr. Meagher; Answer, Mr. Bryce 772

IRISH LAND STOCK.—Question, Mr. Clancy (Dublin County, N.); Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) .. 773

ROBERT LYNDALL ESTATE, KILKENNY.—Question, Mr. O'Mara (Kilkenny, S.); Answer, Mr. Bryce 773

IRISH LAND SALES.—Question, Mr. Meagher; Answer, Mr. Bryce 775

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SCOTTISH LICENSING LAWS.—Question, Mr. Findlay (Lanark, N.E.); Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 776

Licensing (Removal of Doubts) Bill.

The Attorney-General (*Sir John Walton, Leeds, S.*) 777

Motion made, and Question proposed, "That leave be given to bring in a Bill to remove doubts as to the manner in which the powers and duties of justices acting in and for a borough may be exercised under the Licensing Acts, 1828 to 1904."—(*Sir John Walton.*)

Sir E. Carson (*Dublin University*) 780

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Question put, and agreed to.

Bill ordered to be brought in by Mr. Attorney-General and Mr. Secretary Gladstone.

Licensing (Removal of Doubts) Bill—" To remove doubts as to the manner in which the powers and duties of justices acting in and for a borough may be exercised under the Licensing Acts, 1828 to 1904," presented accordingly, and read the first time; to be read a second time To-morrow, and to be printed. [Bill 362.]

Workmen's Compensation Bill.—As amended (by the Standing Committee), further considered.

Amendment proposed to the Bill—

" In page 3, line 4, at the end, to insert the words 'and where posted such notice shall be deemed to have been given, and such claim shall be deemed to have been made at the time of posting.' "—(*Mr. H. H. Marks.*)

Question proposed, " That those words be there inserted in the Bill."

Amendment, by leave, withdrawn.

Mr. Ashley (*Lancashire, Blackpool*) 782

Amendment proposed to the Bill—

" In page 3, line 4, at the end, to insert the words 'Provided that if an accident causing the injury or death of a workman shall happen abroad or on the high seas, such period of six months shall be extended to eighteen months, or such longer period as the Court trying the action shall deem to have been reasonably sufficient for the preparation of the claim.' "—(*Mr. Ashley.*)

Question proposed, " That those words be there inserted in the Bill."

The Solicitor-General (*Sir W. Robson, South Shields*) 783
Lord R. Cecil (*Marylebone, E.*) 784

Amendment, by leave, withdrawn.

Mr. Clavell Salter (*Hants, Basingstoke*) 784

Amendment proposed to the Bill—

" In page 3, line 4, at the end, to insert the words 'and such proceedings are commenced within three months after the making of the claim.' "—(*Mr. Clavell Salter.*)

Question proposed, " That those words be there inserted in the Bill."

The Secretary of State for the Home Department (*Mr. Gladstone, Leeds, W.*)
Mr. Akers-Douglas (*Kent, St. Augustine's*) 785
Sir W. Robson 785

Amendment, by leave, withdrawn.

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Amendment proposed to the Bill—

"In page 3, line 12, after the word 'cause,' to insert the words 'and (b) the failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that the failure was occasioned by mistake or other reasonable cause.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Cochrane (Ayrshire, N.) 786
Mr. Ashley 786

Amendment proposed to the proposed Amendment—

"To insert after the word 'mistake,' the words 'employment abroad.'"—(*Mr. Ashley.*)

Question, "That those words be there inserted in the proposed Amendment," put, and agreed to.

Sir E. Carson 787

Amendment proposed to the proposed Amendment, as amended—

"At the end to add the following words 'provided that the employer is not in the opinion of the court thereby prejudiced in his defence.'"—(*Sir E. Carson.*)

Question proposed "That those words be there added to the proposed Amendment as amended."

Sir W. Robson 787
Mr. Clavell Salter 788
Mr. Wallace (Perth) 789
Mr. Cory (Cornwall, St. Ives) 789
Sir Charles Schwann (Manchester, N.) 789
Mr. Fenwick (Northumberland, Wansbeck) 790
Mr. Wolff (Belfast, E.) 790
Mr. John O'Connor (Kildare, N.) 791
Mr. William Abraham (Glamorganshire, Rhondda) 792
Mr. Laurence Hardy (Kent, Ashford) 792
Mr. Rees (Montgomery Boroughs) 793

Question put.

The House divided :—Ayes, 81 ; Noes, 296. (Division List No. 457.)

Question, "That the proposed words, as amended, be there inserted in the Bill," put, and agreed to.

Mr. H. H. Marks (Kent, Thanet) 797

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Amendment proposed to the Bill—

"In page 3, line 29, after the word 'scheme' to insert the words 'whether now existing or hereafter to be framed.'"—(*Mr. H. H. Marks.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 797

Amendment, by leave, withdrawn.

Mr. Evelyn Cecil (*Aston Manor*) 798
Mr. Russell Rea (*Gloucester*) 799

Amendment proposed to the Bill—

"In page 3, line 36, after 'that' insert 'except in the case of seamen.'"—(*Mr. Evelyn Cecil.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 800
Mr. Mitchell-Thomson (*Lanarkshire, N.W.*) 801
Mr. Cairns (*Newcastle-on-Tyne*) 801
Mr. Walsh (*Lancashire, Ince*) 802
Mr. Cochrane 802
Sir W. Robson 802
Mr. F. E. Smith (*Liverpool, Walton*) 803
Sir Robert Ropner (*Stockton*) 803
Mr. C. Duncan (*Barrow-in-Furness*) 804
The Under-Secretary of State for the Home Department (*Mr. Herbert Samuel, Yorks., Cleveland*) 804
Mr. Carlile (*Herts, St. Albans*) 805
Mr. Clavell Salter 806

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 3, line 38, to leave out the words 'until the certificate is revoked,' and insert the words 'whilst the certificate is in force.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Walsh 806
Mr. Glover (*St. Helens*) 807

Amendment proposed to the Bill—

"In page 4, line 3, at the end, to insert the words, 'Where payments by the workpeople are made to any such scheme the Registrar shall, before issuing his certificate, satisfy himself that an equivalent benefit is granted to the workpeople therefor, in addition to the benefits conferred upon them under this Act.'"—(*Mr. Walsh.*)

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Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 808
Mr. Brace (Glamorganshire, S.) 809
Mr. F. E. Smith 810

Amendment, by leave, withdrawn:

Mr. J. Ward (Stoke-on-Trent) 811
Mr. Wardle (Stockport) 811

Amendment proposed to the Bill—

"In page 4, line 10, after the word 'hiring' to insert the words 'or which involves compulsory deductions from wages.'"—(*Mr. J. Ward.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 812
Mr. William Abraham 812
Mr. Markham (Nottinghamshire, Mansfield) 813
Mr. Clavell Salter 814
Mr. Herbert Samuel 814
Mr. Hudson (Newcastle-on-Tyne) 815
Sir Charles Dilke (Gloucestershire, Forest of Dean) 816
Mr. Herbert Samuel 816
Mr. Ashley 817
Mr. Mond (Chester) 818

Question put.

The House divided :—Ayes, 109 ; Noes, 244. (Division List No. 458.)

Mr. Clavell Salter 821

Amendment proposed to the Bill—

"In page 4, line 10, to leave out the words 'or which does not contain provisions enabling a workman to withdraw from the scheme.'" —(*Mr. Salter.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir W. Robson 822

Amendment negatived.

Amendment proposed to the Bill—

"In page 5, line 5, after the word 'where,' to insert the words 'compensation is claimed from or.'"—(*Mr. Younger.*)

Question, "That those words be there inserted," put, and agreed to.

Mr. F. E. Smith 823
Mr. H. H. Marks 823

Amendment proposed to the Bill—

"In page 5, to leave out lines 11 to 15 inclusive."—(*Mr. F. E. Smith.*)

Question proposed, "That the words proposed to be left out, to the first word 'he,' in line 14, stand part of the Bill."

Sir W. Robson 824
Mr. J. Ward 824
Mr. Akers-Douglas 825
Mr. Dunn (*Cornwall, Camborne*) 825
Lord R. Cecil (*Marylebone, E.*) 826
Mr. Courthope (*Sussex, Rye*) 826
Mr. Markham 828
Viscount Helmsley (*Yorks., N.R., Thirsk*) 828
Mr. Cathcart Wason (*Orkney and Shetland*) 829
Mr. Gladstone 829

Amendment proposed to the Bill—

"In page 5, line 17, to leave out from 'by', to the third 'and,' in line 23, and insert 'any person who would have been liable to pay compensation to the workman independently of this section.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. John O'Connor 830

Amendment proposed to the Bill—

"In page 5, line 25, at the end, to insert the words, 'Provided that where the workman was immediately employed by a contractor for labour as hereinafter defined, nothing in this section shall be construed as entitling the principal or any intermediate contractor to be indemnified by such contractor for labour.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 831

Question put, and negatived.

Mr. Barnes (*Glasgow, Blackfriars*) 833

Amendment proposed to the Bill—

"In page 5, line 29, to leave out from the word 'apply,' to 'in,' in in line 33."—(*Mr. Barnes.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir W. Robson 835
Mr. Cochrane 835

Amendment agreed to.

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Amendments proposed to the Bill—

"In page 5, line 34, to leave out the words 'under the,' and to insert the words 'on which the principal has undertaken to execute the work or which are otherwise under his.'"

"In page 5, line 35, to leave out the words 'of the principal.'"—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. John O'Connor 836

Amendment proposed—

"In page 6, line 6, at the end, to insert the words, 'In any such case the workman shall, to the extent of the liability of the insurers to the employer, have as against the insurers all the rights conferred by this Act on the workman as against the employer, and the insurers shall to the same extent have all the rights conferred by this Act on the employer as against the workman or contractors with the employer or any other person. Provided that, for the purposes of Section 2 of this Act, notice of the accident given to or a claim for compensation made upon the employer shall operate as notice to or a claim upon the insurers.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 836
Mr. John O'Connor 837

Amendment, by leave, withdrawn.

Mr. Gladstone 837

Amendment proposed to the Bill—

"In page 6, line 9, at the end, to insert the words, '(3) There shall be included among the debts which under Section 1 of The Preferential Payments in Bankruptcy Act, 1888, and Section 4 of The Preferential Payments in Bankruptcy (Ireland) Act, 1889, are in the distribution of the property of a bankrupt and in the distribution of the assets of a company being wound up to be paid in priority to all other debts, the amount not exceeding one hundred pounds, due in respect of any compensation the liability wherefor accrued before the date of the receiving order or the date of the commencement of the winding up, or in the case of a weekly payment the capitalised value thereof, such value in case of difference being determined by arbitration under this Act, and regard being had to the probable duration of the incapacity, and the Preferential Payments in Bankruptcy Amendment Act, 1897, shall have effect accordingly. (4) In the case of the winding up of a company within the meaning of The Stannaries Act, 1887, such an amount as aforesaid, if the compensation is payable to a miner or the dependents of a miner, shall have the like priority as is conferred on wages of miners by Section

9 of that Act, and that section shall have effect accordingly. (5) The provisions of this section with respect to preferences and priorities shall not apply where the bankrupt, or the company being wound up, has entered into such a contract with insurers as aforesaid.' "—(*Mr. Gladstone.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Mr. Clement Edwards (Denbigh District) 838

Amendment proposed to the Bill—

"After the words last inserted, at the end, to insert the words, 'Where an employer becomes bankrupt before an award has been given, whether the accident has arisen before or after bankruptcy, then, notwithstanding anything contained in Section 9 of The Bankruptcy Act, 1883, proceedings may be begun, continued, or concluded under this Act as though such bankruptcy had not taken place, provided that the trustee in bankruptcy, if any, at the time of such proceedings shall be added as a respondent.' "—(*Mr. Clement Edwards.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 838

Question put, and negatived.

Mr. Clavell Salter 839

Amendment proposed to the Bill—

"In page 6, line 20, after the word 'but,' to insert the words 'such proceedings shall not be taken concurrently and the workman.' "—(*Mr. Clavell Salter.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 839

Question put, and negatived.

Mr. John O'Connor 840

Amendment proposed to the Bill—

"In page 6, line 30, after the word 'settled,' to insert the words 'by action or by consent of the parties.' "—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

Question put, and agreed to.

Sir Robert Ropner 840

Amendment proposed—

"To leave out Clause 7."—(*Sir Robert Ropner.*)

Question proposed, "That the words proposed to be left out, to the word 'seamen,' in line 31, stand part of the Bill."

Mr. Gladstone 842
Mr. F. E. Smith 844
Mr. Cochrane 845

Amendment, by leave, withdrawn.

Mr. F. E. Smith 847
Mr. William Redmond (Clare, E.) 849

Amendment proposed to the Bill—

"In page 4, line 2, after the word '1894' to insert the words 'except that the word "seaman" shall include the master of any ship.'"—(*Mr. F. E. Smith.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 849
Sir Robert Ropner 849
Mr. Ashley 850
Mr. W. R. Rea (Scarborough) 851
Mr. Beckett (Yorkshire, N.R., Whitby) 851
Mr. Godfrey Baring (Isle of Wight) 851

Question put, and agreed to.

Sir Robert Ropner 852

Amendment proposed to the Bill—

"In page 6, line 31, to leave out the words 'and apprentices.'"—(*Sir Robert Ropner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir W. Robson 852
Mr. William Redmond 853
Sir Robert Ropner 853

Amendment, by leave, withdrawn.

Mr. Ashley 854

Amendment proposed to the Bill—

"In page 6, line 32, at the end, to insert the words 'British subjects or subjects of such states as His Majesty may, by Order in Council, from time to time provide, and are.'"—(*Mr. Ashley.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. Robson 855

Question put, and negatived.

Amendments proposed—

"In page 6, line 34, after the word 'Kingdom,' to insert the words 'or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner or manager resides or has his principal place of business in the United Kingdom.'"

"In page 7, line 12, after the word 'and,' to insert the words 'such depositions or certified copies thereof.'"

"In page 7, line 14, to leave out the word 'section,' and to insert the word 'sections.'"

"In page 7, line 15, after the words 'ninety-one,' to insert the words 'and six hundred and ninety-five.'"

"In page 7, to leave out lines 16 and 17, and to insert the words 'those sections shall apply accordingly.'"

"In page 7, line 23, to leave out from 'shall,' to the end of line 25, and to insert the words 'not be payable in respect of the period during which the owner of the ship is, under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expenses of maintenance of the injured seaman or apprentice.'"—(*Sir W. Robson.*)

Amendments agreed to.

Sir George Doughty (*Great Grimsby*) 856
Mr. Courthope 856

Amendment proposed to the Bill—

"In page 8, line 14, to leave out paragraph (i)."—(*Sir George Doughty.*)

Question proposed, "That the words proposed to be left out, to the word 'fishing,' in line 15, stand part of the Bill."

Sir W Robson 857
Mr. Cory 858

Amendment negatived.

Sir Ropert Ropner 858

Amendment proposed to the Bill—

"In page 8, line 15, to leave out the word 'fishing.'"—(*Sir R. Ropner.*)

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Question proposed, "That the word proposed to be left out stand part of the Bill."

Sir W. Robson 859
Sir E. Carson 859

And, it being Eleven of the clock, the debate stood adjourned.

Debate to be resumed To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at one minute after Eleven o'clock.

HOUSE OF LORDS: WEDNESDAY, 5TH DECEMBER, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against; of inhabitants of parishes of St. Mark, St. Helens, and West Derby. Read, and ordered to lie on the Table 861

TRADE DISPUTES BILL.—Petitions for Amendment of; of Leeds Incorporated Chamber of Commerce; and Walsall and District Incorporated Chamber of Commerce. Read, and ordered to lie on the Table 861

RETURNS, REPORTS, ETC.

SHOP HOURS ACT, 1904 (BOROUGH OF DARLINGTON).—Order made by the council of the borough of Darlington, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for chemists' and druggists' shops within the borough 861

PENAL SERVITUDE ACTS, 1853–1891 (CONDITIONAL LICENCE).—Licence granted by His Majesty to William Jones under the provisions of the Penal Servitude Acts, 1853 to 1891, to which are annexed conditions other than those contained in Schedule A of the Penal Servitude Act, 1864.

Laid before the House (pursuant to Act), and ordered to lie on the Table 861

BUSINESS OF THE HOUSE.

The Marquess of Lansdowne 861
The Lord President of the Council (*The Earl of Crewe*) 861
The Earl of Camperdown 863

Land Tenure Bill [SECOND READING].—Order of the Day for the Second Reading read.

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The President of the Board of Agriculture and Fisheries (*Earl Carrington*) 863

Moved, "That the Bill be now read 2*a*."—(*Earl Carrington.*)

The Earl of Onslow 875
Lord Burghclere 885
The Duke of Northumberland 891
The Earl of Camperdown 893
Viscount St. Aldwyn 897
The First Lord of the Admiralty (*Lord Tweedmouth*) 903
Lord Balfour of Burleigh 906
The Marquess of Londonderry 910
Earl Fortescue 913
Lord Hylton 915
Earl Carrington 919

On Question, Motion agreed to.

Bill read 2*a* accordingly, and committed to a Committee of the Whole House on Thursday the 13th instant.

Business of the House.

The Earl of Crewe 920

House adjourned at twenty-five minutes past Eight o'clock, till to-morrow, half-past Ten o'clock.

HOUSE OF COMMONS: WEDNESDAY, 5th DECEMBER, 1906.

The House met at a quarter before Three of the clock.

PRIVATE BILL BUSINESS.

Edinburgh Suburban Electric Tramways Order Confirmation Bill.—"To confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Edinburgh Suburban Electric Tramways," presented by Mr. Sinclair; read the first time; and ordered (under Section 9 of the Act) to be read a second time upon Thursday, 13th December, and to be printed. [Bill 363.] 921

PETITIONS.

Sale of Intoxicating Liquors on Sunday Bill.—Petitions in favour; From Birmingham; Coalville; and Taunton; to lie upon the Table 921

RETURNS, REPORTS, ETC.

Shop Hours Act, 1904.—Copy presented, of Order, made by the Council of the Borough of Darlington, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the borough [by Act]; to lie upon the Table 921

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PENAL SERVITUDE ACTS (CONDITIONAL LICENCE).—Copy presented, of Licence granted to William Jones under the provisions of the Penal Servitude Acts, 1853 to 1890, to which are annexed conditions other than those contained in Schedule A of The Penal Servitude Act, 1863 [by Act]; to lie upon the Table 922

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

CIVIL SERVICE SUPERANNUATION RULES.—Question, Mr. Yoxall (Nottingham, W.); Answer, Mr. McKenna 922

DEDUCTIONS FROM SALARIES OF TEMPORARY CLERKS ON APPOINTMENTS AS ABSTRACTORS.—Question, Mr. O'Malley (Galway, Connemara); Answer, Mr. McKenna 922

ALLEGED NOMINATION OF AN OVERSEER AT LONDONDERRY.—Question, Mr. MacVeagh (Down, S.); Answer, Mr. Sydney Buxton 923

PETITION OF WORTHING POSTMEN.—Question, Mr. James O'Connor (Wicklow, W.); Answer, Mr. Sydney Buxton 923

PORTSMOUTH NAVAL BARRACKS—COURT-MARTIAL ROOM.—Question, Mr. Bramsden (Portsmouth); Answer, Mr. Edmund Robertson 923

POSTAL ARRANGEMENTS AT GLASTRIGAN.—Question, Mr. Hogan (Tipperary, N.); Answer, Mr. Sydney Buxton 924

POST OFFICE TELEPHONE RATES.—Question, Mr. Brace (Glamorganshire, S.); Answer, Mr. Sydney Buxton 924

POSTAL FACILITIES BETWEEN BALLYMAHON AND BARRY.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. Sydney Buxton 925

SUNDAY DELIVERY OF LETTERS AT ESKER.—Question, Mr. J. P. Farrell; Answer, Mr. Sydney Buxton 926

PAY OF RURAL POSTMEN.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Sydney Buxton 926

OVERTIME PAY OF JOHN CONDON—POSTAL MESSENGER OF BALLYHAHILL, WEST.—Question, Mr. O'Shaughnessy; Answer, Mr. Sydney Buxton .. 926

NEWCASTLE COUNTY DOWN POST OFFICE ACCOMMODATION FOR THE PUBLIC.—Question, Mr. MacVeagh; Answer, Mr. Sydney Buxton 927

SUNDAY DELIVERY OF LETTERS IN LONDON.—Question, Mr. Bottomley (Hackney, S.); Answer, Mr. Sydney Buxton 927

COST OF BOARD OF TRADE JOURNAL.—Question, Mr. Chiozza Money (Paddington); Answer, Mr. Lloyd-George 927

WIDTH OF PLATFORMS AT BRONDESBURY STATION.—Question, Mr. Chiozza Money (Paddington); Answer, Mr. Lloyd-George 928

TREATMENT OF HABITUAL DRUNKARDS.—Question, Mr. Mond (Chester); Answer, Mr. Gladstone 928

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FACTORY SURGEONS' FEES.—Question, Captain Craig (Down, E.); Answer, Mr. Gladstone 929

CHILDREN'S COURTS.—Question, Mr. Wedgwood (Newcastle-under-Lyme); Answer, Mr. Gladstone 929

POLICEMEN IN PARLIAMENTARY BUILDINGS.—Question, Mr. T. F. Richards (Wolverhampton); Answer, Mr. Gladstone 930

SICKNESS AT RAWUL PINDI.—Question, Major Anstruther-Gray (St. Andrews Burghs); Answer, Mr. Morley 930

VICEROY OF INDIA AND FUNDATORY PRINCES.—Question, Mr. C. J. O'Donnell (Newington, Walworth); Answer, Mr. Morley 930

KINGARVE MINERAL LEASE.—Question, Captain Craig; Answer, Mr. Bryce .. 931

FAILURE OF THE POTATO CROP IN CLIFDEN UNION.—Question, Mr. O'Malley; Answer, Mr. Bryce 932

POMEROY ASSAULT CASE.—Question, Mr. MacVeagh; Answer, Mr. Bryce .. 932

TANNAGHMORE LABOURERS' COTTAGE SCHEME.—Mr. Charles Craig (Antrim, S.); Answer, Mr. Bryce 933

MISS M'GHEE'S RETIRING ALLOWANCE.—Question, Mr. McKillop (Armagh, S.); Answer, Mr. Bryce 933

HOLLYWOOD PETTY SESSIONS CLERK'S FEES.—Question, Mr. McKillop; Answer, Mr. Bryce 934

UNITED STATES BEEF TRUST.—Question-Mr. Steadman (Finsbury, Central); Answer, Mr. Lloyd-George 938

WORKMEN'S COMPENSATION AND ILLEGITIMATE CHILDREN.—Question, Mr. Barnes (Glasgow, Blackfriars); Answer, Mr. Gladstone 935

ENDOWED SCHOOLS—APPOINTMENT AND DISMISSAL OF MASTERS.—Question, Mr. Butcher (Cambridge University); Answer, Mr. Birrell 936

ABERDARE NATIONAL SCHOOLS.—Question, Sir William Anson (Oxford University); Answer, Mr. Birrell 937

SCOTSMEN IN THE ARMY.—Question, Major Anstruther-Gray; Answer, Mr. Haldane 937

BULFORD CAMP HOSPITAL ACCOMMODATION.—Question, Captain Faber (Hampshire, Andover); Answer, Mr. Haldane 938

HOSPITAL ACCOMMODATION AT TIDWORTH.—Question, Captain Faber; Answer, Mr. Haldane 938

MEDAL FOR QUARTERMASTER-SERGEANT WILLIAM PETTIGREE, LATE 52ND AND 77TH REGIMENT.—Question, Sir Seymour King (Hull, Central); Answer, Mr. Haldane 938

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QUESTIONS IN THE HOUSE.

NATIVE RECRUITING IN PORTUGUESE EAST AFRICA.—Question, Mr. Meysey-Thomson (Staffordshire, Handsworth); Answer, The Under-Secretary for the Colonies (Mr. Churchill, Manchester, N.W.) 940

LIVERPOOL TELEGRAPHISTS' HOLIDAYS.—Question, Mr. William Redmond (Liverpool, West Derby); Answer, The Postmaster-General (Mr. Sydney Buxton (Tower Hamlets, Poplar) 941

IRISH POTATO CROP FAILURE.—Questions, Mr. Dillon (Mayo, E.), Mr. Vincent Kennedy (Cavan, W.), Mr. Swift MacNeill (Donegal, S.); Answers, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen) 941

CORRIB SALMON FISHERY.—Question, Mr. Gwynn (Galway); Answer, Mr. Bryce 945

IRISH SCHOOL BUILDING GRANTS.—Question, Mr. Dillon; Answers, Mr. Bryce, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 946

COUNTY DONEGAL EVICTED TENANT.—Question, Mr. MacVeigh (Donegal, E.); Answer, Mr. Bryce 948

IRISH UNTENANTED LANDS.—Question, Mr, Ginnell (Westmeath, N.); Answer, Mr. Bryce 949

LAND PURCHASE AND RE-SALE LOSSES.—Question, Mr. Ginnell; Answer, Mr. Bryce 950

WINN ESTATE, KERRY.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Bryce 951

IRISH SCHOOL TEACHERS' SALARIES.—Question, Mr. Mooney (Newry); Answer, Mr. Bryce 951

REPORT OF THE DEPARTMENT OF AGRICULTURE.—Question, Mr. P. A. McHugh (Sligo, N.); Answer, Mr. Bryce 952

KINGSTON ESTATE, CORK.—Question, Mr. William Abraham (Cork County, N.E.), Captain Donelan (Cork, E.); Answer, Mr. Bryce 952

CASE OF PATRICK AHERN.—Question, Mr. William Abraham (Cork County, N.E.); Answer, Mr. Bryce 953

POLICE PROTECTION FOR GENERAL GORE.—Questions, Mr. Lonsdale (Armagh, Mid.), Mr. William Redmond (Clare, E.); Answer, Mr. Bryce 954

BALLINA GUARDIANS' BOYCOTTING RESOLUTION.—Questions, Mr. Lonsdale, Mr. MacVeagh (Down, S.); Answers, Mr. Bryce 954

LORD ASHTON'S GAMEKEEPER.—Questions, Mr. Power (Waterford, E.), Captain Donelan; Answers, Mr. Bryce 956

THE REV. MARSHALL VINCENT'S RAPLA ESTATE.—Question, Mr. Hogan (Tipperary, N.); Answer, Mr. Bryce 956

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IRISH BUTTER EXPORTERS AND THE AGRICULTURAL ORGANISATION SOCIETY.—Question, Mr. Flynn (Cork, N.); Answer, Mr. Bryce 957

IRISH LAND STOCK.—Question, Mr. Mooney; Answer, Mr. Bryce 958

GRADING OF BUTTER.—Question, Mr. Boland; Answer, Mr. Bryce 959

CONSUMPTION IN IRELAND.—Question, Mr. J. P. Farrell (Longford, W.); Answer, Mr. Bryce 960

TRADE DISPUTES BILL AND IRISH AGRARIAN DISPUTES.—Question, Captain Craig (Down, E.); Answer, Mr. Bryce 960

LABOURERS' COTTAGES IN COUNTY DOWN.—Question, Captain Craig; Answer, Mr. Bryce 961

MOUNTSHANNON ESTATE, LIMERICK.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Bryce 961

LIMERICK EVICTED TENANTS AND UNTENANTED LANDS.—Question, Mr. O'Shaughnessy; Answer, Mr. Bryce 962

INSPECTORS OF NATIONAL SCHOOLS EXAMINATION.—Questions, Mr. MacVeagh, Mr. Swift MacNeill (Donegal, S.); Answers, Mr. Bryce 963

ENNISKILLEN COURTHOUSE.—Question, Mr. MacVeagh; Answer, Mr. Bryce .. 963

LISBURN POOR RATE COLLECTOR.—Question, Mr. MacVeagh; Answer, Mr. Bryce 964

DRUMKERRAN OUTRAGE.—Question, Mr. Lonsdale; Answer, Mr. Bryce .. 964

GALWAY EXTRA POLICE TAX.—Question, Mr. Lonsdale; Answer, Mr. Bryce .. 965

GALWAY UNITED IRISH LEAGUE.—Question, Mr. Lonsdale; Answer, Mr. Bryce 966

LEITRIM BOYCOTTING CASE.—Question, Mr. Lonsdale; Answer, Mr. Bryce .. 966

LIMERICK UNTENANTED LANDS.—Question, Mr. O'Shaughnessy; Answer, Mr. Bryce 967

GREYSTONES PIER.—Question, Mr. Cogan (Wicklow, E.); Answer, Mr. Runciman 968

IRISH ASYLUMS BOARD.—Question, Mr. Cogan; Answer, Mr. Bryce 969

NEW COLLEGE OF SCIENCE, DUBLIN.—Question, Mr. Hugh Law (Donegal, W.); Answer, Mr. Runciman 970

IRISH SCHOOL BUILDINGS.—Question, Mr. Lonsdale, Mr. J. P. Farrell; Answer, Mr. Runciman 971

SLIGO POSTAL ARRANGEMENTS.—Question, Mr. P. A. McHugh; Answer, Mr. Sidney Buxton 971

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INCOME TAX.—Question, Mr. Chiozza Money (Paddington, N.); Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 972

Small Landowners (Scotland) Bill.—Question, Major Anstruther-Gray (St. Andrews Burghs); Answer, Sir H. Campbell-Bannerman 972

TRANSVAAL LETTER PATENT.—Question, Mr. Claude Hay (Shoreditch, Hoxton); Answer, Sir H. Campbell-Bannerman 973

BUSINESS OF THE HOUSE.—Questions, Mr. A. J. Balfour (City of London), Mr. Keir Hardie (Merthyr Tydvil), Mr. John Redmond (Waterford); Answer, Sir H. Campbell-Bannerman 973

Workmen's Compensation Bill.—Order read for resuming adjourned debate on Amendment Proposed (4th December) on consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

"In page 8, line 15, to leave out the word 'fishing.'"—(*Sir Robert Ropner.*)

Question again proposed, "That the word 'fishing' stand part of the Bill."

Question put, and agreed to.

Mr. Barnes 974
Mr. J. Ward (*Stoke-on-Trent*) 976

Amendment proposed to the Bill—

"In page 8, line 21, after the word 'employed,' to insert the words 'or other duly qualified medical practitioner.'"—(*Mr. Barnes.*)

Question proposed, "That those words be there inserted in the Bill."

The Under-Secretary of State for the Home Department (*Mr. Herbert Samuel, Yorkshire, Cleveland*) 976
Viscount Morpeth (*Birmingham, S.*) 977

Amendment, by leave, withdrawn.

Mr. Masterman (*West Ham, N.*) 977
Mr. Barnes 982

Amendment proposed to the Bill—

"In page 8, line 22, to leave out the words 'mentioned in the Third Schedule to this Act.'"—(*Mr. Masterman.*)

Question proposed, "That the words proposed to be left out stand part of the Bill.

Page
Mr. Herbert Samuel .. 983
Sir Charles Dilke (Gloucestershire, Forest of Dean) .. 988
Mr. Lyttelton (St. George's, Hanover Square) .. 992
Mr. Wedgewood (Newcastle-under-Lyme) .. 996
Mr. Keir Hardie (Merthyr Tydvil) .. 997
The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 998
Mr. A. J. Balfour (City of London) .. 1001
Mr. Mond (Chester) .. 1003
Sir Francis Powell (Wigan) .. 1004
Mr. Shackleton (Lancashire, Clitheroe) .. 1005
Mr. Fenwick (Northumberland, Wansbeck) .. 1007
Mr. Herbert Samuel .. 1008
Mr. Samuel Roberts (Sheffield, Ecclesall) .. 1008
Mr. Masterton .. 1009

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 9, line 1, to leave out sub-section (b) (i)."—(*Sir Charles Dilke.*)

Question proposed.

Mr. Herbert Samuel .. 1009
Lord R. Cecil (Marylebone, E.) .. 1010
Mr. Akers-Douglas (Kent, St. Augustine's) .. 1010
Mr. Wedgewood .. 1011

Amendment agreed to.

Amendment proposed to the Bill—

"In page 9, line 8, after the word 'himself,' to insert the words 'in writing.'"—(*Mr. John Ward.*)

Amendment agreed to.

Mr. Gibbs (Bristol, W.) .. 1012
Mr. Hicks Beach (Gloucestershire, Tewkesbury) .. 1012

Amendment proposed to the Bill—

"In page 9, line 14, at the end, to insert the words 'Unless the employer proves that the disease was not in fact contracted whilst the workman was in his employment, but without any obligation on the employer to prove in whose employment the workman was when he contracted the disease.'"—(*Mr. Gibbs.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Herbert Samuel .. 1013
Sir Francis Powell .. 1014
Mr. Rawlinson (Cambridge University) .. 1014

Amendment, by leave, withdrawn.

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Amendments proposed to the Bill—

"In page 9, line 16, after the word 'workman,' to insert the words 'or his dependants.'"

"In page 9, line 17, after the word 'with,' to insert the words 'such information as to.'"

"In page 9, line 19, after the word 'months,' to insert the words 'as he or they may possess.'"

"In page 10, line 6, to leave out the words 'from whom compensation is recoverable,' and insert the words 'who last employed the workman during the said twelve months in the employment to the nature of which the disease was due.'"

"In page 10, line 30, after the word 'be' to insert the words 'such date as the certifying surgeon certifies as the date on which the disablement commenced, or if he is unable to certify such a date, the date on which the certificate is given. Provided that.'"

"In page 10, line 33, after the word 'disablement,' to insert the words 'the date of disablement shall be.'"

"In page 10, line 38, after the word 'disablement,' to insert the words 'it shall be.'"

"In page 10, to leave out lines 39 and 40."—(*Mr. Herbert Samuel.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 11, line 6, to leave out the word 'Provisional.'"—(*Mr. Gladstone.*)

Question proposed, "That the word 'Provisional' stand part of the Bill."

Mr. Cochrane (*Ayrshire, N.*) 1015
Mr. Laurence Hardy (*Kent, Ashford*) 1016
Mr. Harmood Banner (*Liverpool, Everton*) 1017
Mr. Rawlinson 1017
Mr. Herbert Samuel 1017
Sir E. Carson (*Dublin University*) 1018

Question put.

The House dvided :—Ayes 47 ; Noes, 281. (Division List No. 459.)

Mr. Gladstone 1021

Amendment proposed to the Bill—

"In page 11, line 12, to leave out the words 'any such Order,' and insert, '(7) Where after inquiry held on the application of any employers or workmen engaged in any industry to which this section applies

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it appears that one or more mutual trade insurance schemes for insuring against the risks under this section have been established for the industry, and that a majority of the employers engaged in that industry are insured against such risks in the scheme or in one or other of such schemes, the Secretary of State may by Provisional Order require all employers in that industry to insure in the scheme or in one or other of such schemes upon such terms and under such conditions and subject to such exceptions as may be set forth in the Order. (8) A Provisional Order made under this section.' "—(*Mr. Gladstone.*)

Question proposed, " That the words ' Any such Order ' stand part of the Bill."

Mr. Cochrane 1023
Mr. J. Ward 1024
Mr. Samuel Roberts 1026
Lord Balcarres (Lancashire, Chorley) 1026
Mr. Herbert Samuel 1029
Mr. Rawlinson 1030
Mr. Wedgwood 1031
Sir Frederick Banbury (City of London) 1032
Sir Charles Dilke 1034
Mr. Parkes (Birmingham, Central) 1034

Question put.

The House divided :—Ayes, 36 ; Noes, 263. (Division List No. 460.)

Question proposed, " That those words be there inserted in the Bill."

Proposed Amendment amended—

" In line 6, by inserting, after the word ' schemes, ' the words ' and that the managers of the scheme consent. ' "—(*Mr. Herbert Samuel.*)

Question proposed, " That those words, as amended, be there inserted in the Bill. "

Sir John Brunner (Cheshire, Northwich) 1037
Mr. Wolff (Belfast, E.) 1039

Question put, and agreed to.

Amendment proposed to the Bill—

" In page 11, to leave out lines 21 to 29 inclusive."—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Herbert Samuel 1040

Amendment proposed to the Bill—

" In page 11, line 32, at the end, to add, ' (7) Nothing in this section shall affect the rights of a workman to recover compensation in respect of a disease to which this section does not apply if the disease is a personal injury by accident within the meaning of this Act.' "—(*Mr. Herbert Samuel.*)

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Question, "That those words be inserted in the Bill," put, and agreed to.

Mr. Gladstone 1040

Amendment proposed to the Bill—

"In page 11, line 36, at the end, to insert, 'Provided that in the case of a person employed in the private service of the Crown, the head of that department of the Royal Household in which he was employed at the time of the accident shall be deemed to be his employer.'"—(*Mr. Gladstone.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed to the Bill—

"In page 12, line 7, at the end, to insert, 'Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of either party or by any insurers interested, he shall not act as medical referee in that case.'"—(*Mr. Gladstone.*)

Question, "That those words be there inserted," put, and agreed to.

Mr. Hicks Beach 1041
Sir Francis Powell (*Wigan*) 1041

Amendment proposed to the Bill—

"Page 13, leave out Clause 12."—(*Mr. Hicks Beach.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 1042
Mr. Cochrane 1042
Mr. Herbert Samuel 1043
Mr. Cory (*Cornwall, St. Ives*) 1043
Mr. Courthope (*Sussex, Rye*) 1044

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 13, line 7, to leave out from the word 'compensation' to the word 'and' in line 8."—(*Mr. Hicks Beach.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Frederick Banbury 1044

Amendment, by leave, withdrawn.

Amendments proposed to the Bill—

"In page 13, line 8, after the word 'particulars' to insert the words 'as to compensation.'"

"In page 13, line 9, to insert the words, '(2) Any regulations made by the Secretary of State containing such directions as aforesaid shall be laid before both Houses of Parliament as soon as may be after they are made.'"—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. Gladstone 1045

Amendment proposed to the Bill—

"In page 13, line 14, at the end, to insert the words 'and where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the workman whilst he is working for that other person.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Ellis Davies (Carnarvonshire, Eifion) 1046
Sir W. Robson 1046
Mr. Walter Long (Dublin, S.) 1047
Mr. Ellis Griffiths (Anglesey) 1047
Mr. Courthope 1047
Mr. Mond 1048
Mr. Keir Hardie 1048

Amendment proposed to the proposed Amendment to the Bill—

"At the end to add the words, 'And any personal injury by accident arising whilst he is working for that other person shall be deemed to have arisen in the course of his employment of the person deemed to be his employer.'"—(*Mr. Mond.*)

Question proposed, "That those words be there added to the proposed Amendment to the Bill."

Sir W. Robson 1048

Amendment, by leave, withdrawn.

Proposed words there inserted in the Bill.

Mr. Gladstone 1049

Amendment proposed—

"In page 13, lines 15 and 16, to leave out the words 'remunerated by salary at a rate exceeding,' and insert 'employed otherwise than by way of manual labour whose remuneration exceeds.'"—(*Mr. Gladstone.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Robert Ropner 1049

Amendment agreed to.

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Mr. Cochrane 1049

Amendment proposed to the Bill—

"In page 13, line 20, to leave out the words 'or an outworker.'" —(*Mr. Cochrane*).

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 1050

Amendment negatived.

Mr. H. H. Marks (*Kent, Thanet*) 1050

Amendment proposed to the Bill—

"In page 13, lines 20 and 21, to leave out the words 'or a domestic servant.'"—(*Mr. H. H. Marks.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Viscount Morpeth (*Birmingham, S.*) 1051
Mr. Gladstone 1053
Lord R. Cecil (*Marylebone, E.*) 1053
Sir W. Robson 1054
Mr. Keir Hardie 1054
Mr. Harmood-Banner 1055
Sir Frederick Cawley (*Lancashire, Prestwich*) 1055
Sir J. Randles (*Cumberland, Cockermouth*) 1056
Mr. Maclean (*Bath*) 1056
Mr. Hugh Law (*Donegal, W.*) 1057
Mr. Cory 1057
The Prime Minister and First Lord of the Treasury (*Sir H. Campbell-Bannerman, Stirling Burghs*) 1057
Mr. Akers-Douglas 1058

Question put, and agreed to.

Mr. Akers-Douglas 1059

Motion made, and Question proposed, "That the further consideration of the Bill, as amended, be now adjourned."—(*Mr. Akers-Douglas*).

Mr. Keir Hardie 1059
Sir H. Campbell-Bannerman 1059
Mr. Laurence Hardy 1060

Motion, by leave, withdrawn.

Motion made, and Question, "That the further consideration of the Bill, as amended, be now adjourned."—(*Mr. Secretary Gladstone*)—put, and agreed to.

Bill, as amended (by the Standing Committee), to be further considered to-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at Twenty-seven minutes after Eleven o'clock.

HOUSE OF LORDS, THURSDAY, 6TH DECEMBER, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against—of inhabitants of parishes of Ashwick; Lund; Bathwick (St. John Baptist); Combe Hay; Chepstow; Great Billing; St. George's-in-the-East, London; Badby; Margam; Tittleshall; Bakewell; Stoke-on-Trent; Calverton; Southampton (St. Marks); Abingdon; and Pullborough; of parents of children attending schools in parishes of Cherington; Ipswich (St. John's); Salperton; and St. George's-in-the-East, London; of certain trustees of Church of England schools in England and Wales. Read, and ordered to lie on the Table .. 1061

EDUCATION (ENGLAND AND WALES) BILL.—Petitions for Amendment of; of inhabitants of parish of Cherington; Brighton (St. Luke's); Shermanbury; Eastbourne (St. Anne's); Ripe; and Warbleton; read, and ordered to lie on the Table 1061

RETURNS, REPORTS, ETC.

TRADE REPORTS; ANNUAL SERIES.—No. 3737. Brazil (Trade of Santa Catherina for the year 1905) 1061

UNITED STATES, No 1 (1906).—Correspondence respecting the Newfoundland Fisheries.

Presented (by Command) and ordered to lie on the Table 1061

Marine Insurance Bill [H.L.].—Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons, and the consequential Amendments made by the Lords to the Bill agreed to; and the Amendments made to the Bill to which the Lords have disagreed not insisted on, and the Amendments made by the Lords to the Bill in lieu thereof agreed to 1061

PALACE OF WESTMINSTER.—The Earl Brownlow added to the Select Committee 1062

Education (England and Wales) Bill. [THIRD READING].

Moved, "That the Bill be now read 3ª."—(*The Earl of Crewe*).

On Question, Bill read 3ª.

The Lord President of the Council (*The Earl of Crewe*) 1062

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Amendment moved—

"In Clause 1, page 1, line 8, after the word 'date' to insert the words 'not being later than the first day of January nineteen hundred and nine.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 1062

Amendment moved—

"To leave out the words 'His Majesty in Council,' and to insert the words 'the Board of Education.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"In Clause 1, page 1, line 9, to leave out the words 'any district,' and to insert the words 'the area of any local education authority.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

The Earl of Crewe 1063

Amendment moved—

"In Clause 2, page 2, line 28, to leave out from the word 'purposes' to the end of sub-section (2)."—(*The Earl of Crewe.*)

The Marquess of Salisbury 1063
The Earl of Crewe 1064

Amendment, by leave withdrawn.

Drafting Amendments agreed to.

The Marquess of Lansdowne 1065

Amendment moved—

"In Clause 3, page 3, line 19, after the word 'morning' to insert as a new sub-section: '(2) If the parents of a reasonable number of children attending any public elementary school require facilities for their children of the same character as those to be afforded under the foregoing provisions of this section and in the opinion of the local education authority, those children cannot conveniently attend some other public elementary school in which facilities for religious instruction of the special character desired by the parents are afforded, the local education authority, without prejudice to any of their powers or duties under this section, shall, so far as it is in their opinion reasonably practicable to do so, afford those facilities in the school within school hours accordingly.'"—(*The Marquess of Lansdowne.*)

The Earl of Crewe 1066

On Question, Amendment agreed to.

Viscount St. Aldwyn 1066

Amendment moved—

"In Clause 3, page 3, line 24, after the word 'authority' to insert the following new sub-section: '(3) The owners of the schoolhouse shall be responsible for and have the control of any religious instruction given in pursuance of facilities afforded under this section but may delegate any of their powers under this section to any persons they think fit.'"—(*Viscount St. Aldwyn.*)

Viscount Halifax 1067
The Earl of Crewe 1067

Amendment, by leave of the House, withdrawn.

Consequential Amendment agreed to.

Amendment moved—

"In Clause 3, page 3, line 29, after the word 'education' to insert the following new sub-section: 'In all schools transferred under this section those parents of children attending the school who have expressed their wish for facilities for the giving of religious instruction of some special character, shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who together with one other person nominated by the owners, and one other person nominated by the local authority, shall be known as the parents' committee. The parents' committee shall be responsible for and have the control of the religious instruction afforded under such facilities."—(*Viscount Halifax.*)

On Question, Amendment agreed to.

Amendment moved—

"To leave out Clause 4"—(*The Marquess of Lansdowne*

On Question, Amendment agreed to.

The Earl of Crewe 1069

Amendment moved—

"In page 4, line 20, to leave out from the word 'and,' to the end of line 29, and to insert, '(*b*) that there are vacant school places available in schools not affected by a permission given under this section equal to the number of the remaining children attending the school. Provided that the requirement as to vacant school places shall not apply unless at least ten places are required, and that a child shall not be

reckoned in calculating the number of vacant places if the parent of the child shows at the inquiry that he does not desire accommodation in another school for the child, and that no vote has been given at the ballot in respect of the child.' "—(*The Earl of Crewe.*)

The Marquess of Lansdowne 1071
Lord Stanley of Alderley 1076

On Question, " That the words proposed to be left out stand part of the Bill," their Lordships divided :—Contents, 115 ; Not-contents, 43.

Amendment moved—

" In page 4, line 26, after the word 'elsewhere,' to insert the word 'for.' "—(*Lord Ashbourne.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Amendment moved—

" In page 5, line 9, after the second 'any,' to insert the word 'agreement.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

" In page 5, line 28, to leave out the words 'provided that,' and begin a new sub-section."—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Drafting Amendment agreed to.

The Earl of Camperdown 1077
The Lord Bishop of Oxford 1079
The Earl of Camperdown 1079

Amendment moved—

" After Clause 5, to insert the following new clause, 'If the local education authority at any time make an arrangement for the transfer to them, or the use by them, of the schoolhouse of an elementary school not being a public elementary school, and conduct it as a public elementary school provided by them, the foregoing provisions of this Act with respect to facilities (including extended facilities) shall apply to that school in the same manner as they apply to a transferred voluntary school.' "—(*The Earl of Camperdown.*)

The Earl of Crewe 1080

On Question, Amendment agreed to.

Amendment moved—

"In Clause 6, page 6, line 24, after the word 'Act,' to insert the words 'or an order under Section 11 of this Act.'"—(*Lord Ashbourne.*)

On Question, Amendment agreed to

Amendment moved—

"In Clause 6, page 6, line 28, after the word 'school,' to insert as a new paragraph, 'When the powers of the Commission appointed under this Act have expired, the Board of Education shall, without prejudice to any other power, have the same power to make an order with respect to a schoolhouse provided under this section as the Commission originally had.'"—(*Lord Ashbourne.*)

On Question, Amendment agreed to

Amendment moved—

"In Clause 7, page 6, lines 35 and 36, to leave out the words 'in accordance with Sections 3 and 4 of this Act for the purpose,' and to insert the words 'as a condition of any arrangement or order of the Commission with respect to a schoolhouse, or of the purchase or hire of a schoolhouse or afforded as extended facilities under this Act.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Lord Clifford of Chudleigh 1081

Amendment moved—

"In Clause 11, page 10, line 12, after the word 'Commission,' to insert the words 'provided that the Board of Education shall not certify that any schoolhouse is structurally unsuitable, unless they have allowed the owners a reasonable time for alteration or rebuilding, and unless the time so allowed shall have expired.'"—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 1081

Amendment, by leave, withdrawn.

The Earl of Crewe 1082

Amendment moved—

"In Clause 12, page 10, line 28, after the word 'but,' to insert the words 'after the first application,' and to leave out the word 'such,' and to insert the word 'further,' and after the word 'application,' to insert the words 'in respect of any order.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Amendment moved—

"In Clause 12, page 10, line 35, at end of line, to insert the words 'and shall have the same powers, including power to give leave to appeal.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"In Clause 12, page 10, line 37, after the word 'order,' to insert the words 'under which extended facilities are given.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"In Clause 12, page 11, line 19, after '(3)' to insert 'and (5).'" —(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"In Clause 14, page 12, line 25, after the word 'education' to insert as a new paragraph: 'When the powers of the Commission have expired, the Board of Education shall, without prejudice to any other power, have the same power to make an order under this section as the Commission originally had.'"—(*Lord Ashbourne.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

Amendment moved—

"In Clause 15, page 12, line 30, to leave out the words 'so appointed,' and to insert the words 'under this Act.'"—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Amendment moved—

"In Clause 15, page 12, line 37, after the word 'number,' to insert the word 'and.'"—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Amendment moved—

"In Clause 16, page 14, line 1, to leave out the words 'a scheme,' and to insert the word 'order.'"—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Consequential Amendments agreed to.

The Earl of Crewe 1084

Amendment moved—

"In Clause 19, page 15, line 29, to make from the beginning of line 29 to the end of the clause a new clause, with marginal note, 'Supplemental provisions.'"—(*The Earl of Crewe.*)

Amendment, by leave, withdrawn.

The Earl of Crewe 1085

Amendment moved—

"In Clause 20, page 17, to leave out from the beginning of line 20 to the end of line 31, and to insert the words 'such committee must be either—(*a*) a body, the ordinary members of which are elected for the purpose in manner provided in the scheme by the local government or parochial electors for the delegation area; or, (*b*) a body, the ordinary members of which consist of the council of a local government area where that is possible owing to the delegation area being a single local government area; or (*c*) a body, the ordinary members of which consist wholly of members of the councils of such local government areas, wholly or partly situated in the delegation area as the scheme directs, or partly of such members of council, and partly of members nominated in manner directed by the scheme (provided that the nominated members do not exceed one-third of the total number of ordinary members). If provision is made for the purposes of the scheme, all or any of the members of the county council representing any electoral division, wholly or partly situated within the delegation area, or residing in the area, may be additional members of the local education committee in addition to the ordinary members. Where the ordinary members of a local education committee are the council of a local government area, women may be appointed as additional members, and the scheme will provide that some women, not exceeding one-fifth of the ordinary members, be so appointed, and also where the local education committee consists partly of nominated members that some women be included among the members so nominated.'"—(*The Earl of Crewe.*)

Lord Belper 1087
The Under-Secretary of State for Foreign Affairs (*Lord Fitzmaurice*) 1088

On Question, Amendment agreed to.

Drafting Amendments agreed to.

Amendment moved—

"In page 22, line 31, after the word 'resident,' to insert as a new sub-section, 'The powers and duties of a local education authority under Part III. of the Education Act, 1902, shall include a power to aid by scholar-

ships or bursaries the instruction in public elementary schools of scholars from the age of twelve up to the limit of age fixed for the provision of instruction in a public elementary school by sub-section (2) of Section 22 of that Act. ' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendments moved—

" In Clause 31, page 23, line 1, to leave out from the word ' place ' to the word ' and ' in line 6; in line 14, to leave out from the word ' schools,' to the end of the clause; and in line 19, at the end of the line, to insert the words ' provided that in any exercise of powers under this section, the local education authority may encourage and assist the establishment or continuance of voluntary agencies, and associate with itself representatives of voluntary associations for the purpose. ' "—(*The Earl of Crewe.*)

Lord Haversham 1089
The Earl of Crewe 1089

On Question, Amendment agreed to.

Lord Belper 1090

Amendment moved—

" In Clause 32, page 23, line 29, after ' 1870,' to insert as a separate sub-section, ' For the purposes of paragraph (c) of sub-section (1) of Section 18 of the Education Act, 1902, the county council may treat any expenses incurred by them in providing means of conveyance for teachers or children attending a public elementary school under sub-section (1) of Section 23 of the Education Act, 1902, in the same manner as they may treat the capital expenditure mentioned in the said paragraph (c). ' "—(*Lord Belper.*)

On Question, Amendment agreed to.

Viscount Llandaff 1090

Amendment moved—

" In page 27, lines 5 to 8, to leave out words ' Section 21,' Section 23 (as from the date of the passing of this Act), Section 24 (except as respects transfers in force at the time of the passing of this Act.) ' "—(*Viscount Llandaff.*)

The Earl of Crewe 1091

On Question, Amendment negatived.

Amendments moved—

" In page 27, third column, line 8, after the word ' Act,' to insert the word ' and '; and in line 9, to leave out the words ' and Section 99. ' "—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

Amendment moved—

"In the schedule, page 27, to leave out lines 10, 11, and 12."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Viscount Llandaff 1093

Amendment moved—

"In the schedule, page 27, line 16, to leave out the words 'the whole Act so far as unrepealed,' and to insert the word 'public' in Section 4, line 2.'"—(*Viscount Llandaff.*)

Lord Clifford of Chudleigh 1093
The Earl of Crewe 1094

On Question, Amendment negatived.

Viscount Llandaff 1094

Amendment moved—

"In the schedule, in page 27, line 25, after the word 'six,' to insert the words 'as from the first of January, one thousand, nine hundred and ten.'"—(*Viscount Llandaff.*)

The Earl of Crewe 1095

On Question, Amendment negatived.

The Earl of Crewe 1096

Amendment moved—

"In the schedule, page 27, third column, line 27, after the word 'eight,' to insert the word 'and,' and after the word 'nine,' to insert the words 'as from the date of the passing of this Act.'"—(*The Earl of Crewe.*)

The Marquess of Lansdowne 1096
The Earl of Crewe 1097

On Question, Amendment agreed to.

Consequential Amendment agreed to.

Amendment moved—

"In the Schedule, page 27, lines 38 and 39, to leave out the words 'sub-section (5) of Section 24.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

The Earl of Crewe 1098

Moved, “That this Bill do pass.”—(*The Earl of Crewe.*)

The Duke of Norfolk 1105
Viscount Halifax 1107
The Lord Bishop of London 1110
The Marquess of Lansdowne 1112

On Question, “That this Bill do pass,” their Lordships divided:—Contents, 105; Not-Contents, 28.

Bill passed accordingly, and returned to the Commons.

Town Tenants (Ireland) Bill. [Second Reading.]

Order of the Day for the Second Reading read.

Lord Denman 1119

Moved, “That the Bill be now read 2ª.”—(*Lord Denman.*)

Lord Oranmore and Browne 1124
The Earl of Arran 1128
Lord Ashbourne 1131
The Earl of Dunraven 1134
Viscount Ridley 1138
The Marquess of Lansdowne 1140
The Earl of Crewe 1144
Lord Clifford of Chudleigh 1150

On Question, Motion agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Tuesday next.

Land Tenure Bill.

Lord Balfour of Burleigh 1150
Earl Carrington 1150

House adjourned at half-past Eleven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS: THURSDAY, 6TH DECEMBER, 1906.

The House met at a quarter before Three of the Clock.

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BUSINESS OF THE HOUSE.—Questions, Mr. A. J. Balfour (City of London), Mr. Harold Cox, Sir Brampton Gurdon (Norfolk, N.); Answers, Sir H. Campbell-Bannerman 1202

Marine Insurance Bill [LORDS].—Lords reasons for disagreeing to certain of the Amendments made by this House to the Bill, and Lords' Amendments to the Bill in lieu thereof, and Lords' Amendments to certain of the Commons' Amendments, and consequential Amendments to the Bill to be considered forthwith. Considered.

Resolved, That this House doth not insist on the Amendments to the Bill to which the Lords have disagreed, and doth agree to the Amendments made by the Lords to the Bill in lieu thereof, and to the Amendments made by the Lords to the Amendments made by this House to the Bill, and to the consequential Amendments made by the Lords to the Bill.—(*Mr. Attorney-General*) 1204

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Expiring Laws Continuance Bill.—" To continue various Expiring Laws," presented by Mr. McKenna ; to be read a second time upon Monday next, and to be printed. [Bill 364] 1204

Workmen's Compensation Bill.—As amended (by the Standing Committee), further considered.

Mr. Hicks Beach (*Gloucestershire, Tewkesbury*) 1204
Mr. Gibbs (*Bristol, W.*) 1205

Amendment proposed to the Bill—

" In page 13, line 34, after the word 'part.' to insert the word 'actually.' "—(*Mr. Hicks Beach.*)

Question proposed—

" That the word 'actually' be there inserted in the Bill."

The Secretary of State for the Home Department (*Mr. Gladstone, Leeds, W.*) 1206
Mr. Clavell Salter (*Hants, Basingstoke*) 1206
Mr. Brace (*Glamorganshire, S.*) 1206

Question put, and negatived.

Amendment proposed to the Bill—

" In page 13, line 36, after the word 'death' to insert the words 'or would but for the incapacity due to the accident have been so dependent.' "—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Keir Hardie (*Merthyr Tydvil*) 1207

Amendment proposed to the Bill—

" In page 13, line 36, after the word 'death,' to insert the words 'and where the workman, being the parent or grandparent of an illegitimate child, leaves such a child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings, shall include such an illegitimate child and parent or grandparent respectively."—(*Mr. Keir Hardie.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Akers-Douglas (*Kent, St. Augustine's*) 1208
Mr. Ashley (*Lancashire, Blackpool*) 1208
Lord R. Cecil (*Marylebone, E.*) 1208

Amendment proposed to the proposed Amendment to the Bill—

" To leave out the words 'or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings.' "—(*Mr. Ashley.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the Bill."

Sir George Doughty (*Great Grimsby*) 1209
The Attorney-General (*Sir John Walton, Leeds, S.*) 1209
Mr. Cochrane (*Ayrshire, N.*) 1210
The Under-Secretary of State for the Home Department (*Mr. Herbert Samuel, Yorkshire, Cleveland*) 1212
Mr. Markham (*Nottinghamshire, Mansfield*) 1212

Question put.

The House divided :—Ayes, 232 ; Noes, 81. (Division List No. 461.).

Question put, " That these words be there inserted in the Bill."

The House divided :—Ayes 250 ; Noes, 77. (Division List No. 462.)

Amendment proposed to the Bill—

"In page 14, line 1, after the word 'ship' to insert the word 'vessel.'"—(*Sir W. Robson.*) .. ..

Amendment agreed to.

The Solicitor-General (*Sir W. Robson, South Shields*) 1219

Amendment proposed to the Bill—

"In page 14, line 2, to insert after '1894,' the words 'except that seamen to whom Section 10 of that Act applies shall include pilots.'"—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Akers-Douglas 1219

Question put, and agreed to.

Sir W. Robson 1219

Amendment proposed to the Bill—

"In page 14, line 2, at the end, to insert the words '"manager" in relation to a ship means the ship's husband or other person to whom the ship is entrusted by or on behalf of the owner.'"—(*Sir W. Robson.*)

Question, "That those words be there inserted," put, and agreed to.

Mr. Gladstone 1202

Amendment proposed to the Bill—

"In page 14, line 8, to leave out from the word 'whom,' to the word 'premises' in line 9, and to insert the words 'articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale, in his own home or on other."

Question proposed, " That the works proposed to be left out stand part of the Bill."

Mr. Hugh Law (*Donegal, W.*) 1221

Amendment agreed to.

Amendments proposed to the Bill—

" In page 14, line 10, to leave out the word ' work,' and to insert the words ' materials or articles."—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Dalziel (*Kirkcaldy Burghs*) 1221

Amendment proposed to the Bill—

" In page 14, lines 19 and 20, to leave out ' instead of taking proceedings for recovering compensation under this Act.' "

" In page 14, line 22, after ' accident,' to insert ' arising out of and in the course of the employment.' "

" In page 14, line 23, to leave out ' a.' "

" In page 14, line 25, to leave out ' or at common law.' "

" In page 14, line 27, after ' shall,' to insert ' notwithstanding anything contained in that Act.' "

"In page 14, line 27, after 'removed,' to 'insert under that Act or otherwise.' "—(*The Lord-Advocate.*) .. ..

Amendments agreed to.

Amendment proposed to the Bill—

" In page 14, line 27, to leave out from ' session ' to end of subsection, and insert ' nor shall it be appealed to that court otherwise than by appeal on a question of law ; and for the purposes of such appeal the provisions of the second schedule to this Act in regard to an appeal from the decision of the sheriff on any question of law determined by him as arbitrator under this Act shall apply."—(*Mr. Thomas Shaw.*)

Question proposed, " That the words proposed to be left out stand part of the Bill."

Mr. Younger (*Ayr Burghs*) 1223
The Lord-Advocate (*Mr. Thomas Shaw, Hawick Burghs*) 1223
Mr. Dalziel 1226
Mr. Barnes (*Glasgow, Blackfriars*) 1226

Amendment agreed to.

Amendments proposed to the Bill—

"In page 14, line 30, to leave out sub-section (b)."—(*The Lord-Advocate.*)

"In page 15, line 10, at end, to add the words, '(2) Every scheme under The Workmen's Compensation Act, 1897, in force at the commencement of this Act shall, if re-certified by the Registrar of Friendly Societies, have effect as if it were a scheme under this Act. (3) The Registrar shall re-certify any such scheme if it is proved to his satisfaction that the scheme conforms, or has been so modified as to conform, with the provisions of this Act as to schemes. (4) If any such scheme has not been so re-certified before the expiration of six months from the commencement of this Act, the certificate thereof shall be revoked.' "

"In page 15, line 12, to leave out the word 'January,' and insert the word 'July.' "—(*Mr. Secretary Gladstone.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In Schedule 1, page 16, line 7, to leave out the words 'at the time of his death.' "—(*Mr. Secretary Gladstone.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 1228

Amendment agreed to.

Sir William Bull (*Hammersmith*) 1228

Amendment proposed to the Bill—

"In page 16, line 22, to leave out from the word 'sum,' to the end of paragraph (ii.), and insert the words, 'as shall represent one hundred and fifty-six times the amount of the average weekly contribution of the deceased towards the maintenance of such dependants for a period of twelve months prior to the date of the accident causing the death.' "—(*Sir William Bull.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 1228

mendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 16, line 26, after the word 'dependants,' to insert the words, 'provided that any weekly payments made under this Act, and any lump sum paid in redemption thereof, shall be deducted from such sum.' "—(*Mr. Cory.*)

Amendment negatived.

Amendment proposed to the Bill—

"In page 16, lines 30 and 31, to leave out the words 'after the first three days.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Cochrane 1229

Amendment proposed to the Bill—

"In page 16, line 35, at the end, to insert the words, 'Provided that where the disablement arises from a fracture of a limb, or dislocation of a limb, or loss of an eye, or from any other serious personal injury which prevents the workman from earning full wages at the work at which he was employed for a period exceeding twenty-eight days, the employer shall be liable to pay compensation for the whole period of such disablement, starting from the date of the accident.'"—(*Mr. Cochrane.*)

Mr. Gladstone 1231
Mr. Cory (*Cornwall, St. Ives*) 1232
Mr. Gill (*Bolton*) 1233
Mr. Laurence Hardy (*Kent, Ashford*) 1234
Mr. Markham 1234
Mr. Harmood-Banner (*Liverpool, Everton*) 1235

Question put.

The House divided :—Ayes, 57 ; Noes, 307. (Division List No. 463.)

Amendment proposed to the Bill—

"In page 17, line 1, after 'that,' to insert the words '(a) if the incapacity lasts less than two weeks no compensation shall be payable in respect of the first week.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. Gladstone .. ..

Amendment proposed to the Bill—

"In page 17, after the words last inserted, to insert the words, '(b) in the case of a workman who has, in accordance with regulations made by the Secretary of State, obtained from a certifying surgeon a certificate to the effect that on account of old age, or of the loss of an eye or a limb, or of any other serious physical infirmity or incapacity specified in the regulations, he is specially liable to serious accident if employed in any employment of any class specified in the certificate, and who has entered into an agreement in writing with his employer as to the maximum amount of compensation to be payable to him under this Act, the compensation, if payable in respect of an accident happening to the workman whilst employed in an employment of any such class, shall not exceed that maximum, but the maximum shall not be less—(i) where death results from the injury and the workman leaves any dependants, than fifty pounds ; (ii) where total or partial incapacity for work results from the injury, than a weekly payment during the incapacity of ten shillings; and".—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Barnes 1243
Mr. Ellis Davies (Carnarvonshire, Eifion) 1244
Mr. Markham 1245
Mr. J. Ward (Stoke-on-Trent) 1246
Mr. Herbert Samuel 1247
Mr. Stuart Wortley (Sheffield, Hallam) 1249

Mr. KEIR HARDIE rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That those words be there inserted in the Bill."

The House divided :—Ayes, 133 ; Noes, 211. (Division List No. 464.)

Mr. Gill 1253
Mr. Harwood 1255

Amendment proposed to the Bill—

"In page 17, line 6, after the word 'shillings,' to insert the words 'provided also that this section shall apply to a workman who is over twenty-one years of age, whose average weekly earnings are less than twenty shillings per week, if he is employed in the same grade in the same employment in the same district as a workman under that age.' "—(*Mr. Gill.*)

Question proposed, "That these words be there inserted in the Bill."

Sir W. Robson 1256

Question put, and negatived.

Drafting Amendment agreed to.

Mr. Gladstone 1257

Amendment proposed to the Bill—

"In page 17, line 10, after the word 'schedule' to insert the words 'the following rules shall be observed, (a) where the workman was employed exclusively by one employer at a fixed weekly or other periodical wage, the amount per week of that wage shall be his average weekly earnings ; (b) where the workman was not employed at such a wage, his average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which he was being remunerated. Provided that where by reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district; (c) where the workman was engaged under contracts of service with two or more employers his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident.' "—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

Lord R. Cecil 1258

Amendment agreed to.

Amendments proposed—

"In page 17, lines 11 and 12, to leave out the word 'continuous.'"

"In page 17, line 13, to leave out the word 'injury,' and to insert the word 'accident.'"

"In page 17, line 15, to leave out the words 'for a period exceeding two weeks.' "—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. Samuel Roberts 1259

Amendment proposed to the Bill—

"In page 17, line 16, to leave out from the word 'employer,' to the word 'and,' in line 19, and insert the words 'pays to the workman a sum to include any outlay entailed on him by the nature or conditions of his employment the sum so paid shall not be reckoned as part of the earnings.' "—(*Mr. Samuel Roberts.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir W. Robson 1260
Mr. Walsh 1260

Amendment negatived.

Amendment proposed to the Bill—

"In page 17, line 19, to leave out from the word 'earnings,' to end of line 25."—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. W. T. Wilson (*Lancashire, Westhoughton*) 1260

Amendment proposed to the Bill—

"In page 17, line 31, to leave out from the word 'earning' to the word 'after,' in line 32."—(*Mr. W. T. Wilson.*)

Question proposed, "That the words 'or is,' stand part of the Bill."

Amendment negatived.

Amendment proposed to the Bill—

"In page 17, line 31, to leave out the word 'fit,' and insert the word 'able.'"—(*Mr. Walsh.*)

Amendment agreed to.

Mr. Walsh 1261

Amendment proposed to the Bill—

"In page 17, line 32, after the word 'business,' to insert the words 'open to such workman.'"—(*Mr. Walsh.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. J. Ward 1262

Question put.

The House divided :—Ayes, 102 ; Noes, 195. (Division List No. 465.)

Amendment proposed to the Bill—

"In page 17, line 32, after the word 'accident,' to insert the words 'but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Amendment proposed to the Bill—

"In page 17, line 38, after the word 'place,' to insert the words 'and if the Court shall be of opinion that the employer has been in any way prejudiced by the delay caused by the workman's refusal to submit himself to such medical examination, the workman's right to any compensation shall be absolutely forfeited.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That those words be there inserted."

Question put and negatived.

Amendments proposed—

"In page 17, line 39, to leave out the words 'agreed or.'"

"In page 18, line 26, after the word 'where,' to insert the words 'on application being made in accordance with rules of Court.'"

"In page 18, line 26, to leave out from the word 'Court' to the word 'ought,' in line 32, and insert the words 'that on account of neglect of children on the part of a widow or on account of the variation of the circumstances of the various dependants, or for any other

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sufficient cause, an order of the Court as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any such dependant is to be invested, applied, or otherwise dealt with.' "

"In page 18, line 33, to leave out from the word 'may,' to the word 'make,' in line 34."

"In page 18, line 35, to leave out from the first word 'the,' to the word 'as,' in line 37, and insert the words 'variation of the former order.' "—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. Brace 1266

Amendment proposed to the Bill—

"In page 19, lines 31 and 32, to leave out the words 'to the Court by either party,' and insert the words 'in writing by both parties' " —(*Mr. Brace.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Gladstone 1267

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 19, line 32, to leave out the words 'either party' and insert the words 'both parties.' "—(*Mr. Gladstone.*)

Amendment agreed to.

Amendment proposed to the Bill—

"In page 19, to leave out lines 33 to 38, inclusive, and insert the word 'shall.' "—(*Mr. Samuel Roberts.*)

Question proposed, "That the words proposed to be left out, to the word 'applicant,' in line 33, stand part of the Bill."

Mr. Herbert Samuel 1268

Question put, and agreed to.

Amendments proposed to the Bill—

"In page 19, lines 33 and 34, to leave out the words 'two pounds,' and insert the words 'one pound.' "

"In page 19, line 34, to leave out from the word 'prescribed,' to end of line 38."

"In page 20, line 3, after the word 'shall,' to insert the words 'subject to any regulations made by the Secretary of State.'"

"In page 20, line 5, to leave out from the word 'workman,' to end of line 7."

Amendments agreed to.

Amendment proposed to the Bill—

"In page 20, line 31, after the word 'employer,' to insert the words 'or workman.'"—(*Mr. John Taylor.*)

Question proposed, "That those words be there inserted in the Bill."

Question put, and negatived.

Amendments proposed to the Bill—

"In page 20, lines 36 and 37, to leave out the words 'in default of agreement.'"

"In page 20, line 43, to leave out the words 'but if he proves,' and to insert the words 'unless the medical referee certifies.'"

"In page 20, line 44, after the word 'is' to insert the words 'likely to be.'"

"In page 20, line 44, to leave out from the word 'nature' to the end of paragraph (18), and to insert the words 'If the medical referee so certifies, the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by rules of Court, his identity and the continuance of the incapacity in respect of which the weekly payment is payable.'"

Amendment agreed to.

Amendments proposed to the Bill.

"In page 22, line 37, at the end, to insert the words '(a) no such memorandum shall be recorded before seven days after the despatch by the registrar of notice to the parties interested; (b) where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under the Act and the employer, in accordance with rules of Court, proves that the workman has in fact returned to work and is earning the same wages as he did before the accident, and objects to the recording of such memorandum the memorandum shall only be recorded, if at all, on such terms as the judge of the County Court, under the circumstances, may think just.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 1269

Question put, and agreed to.

Amendment proposed to the Bill—

"In page 24, line 8, after the word 'award,' to insert the words 'but in respect of proceedings in the Court as between principals and contractors or between employers and any other persons or between different employers, the same Court fees shall be payable if an action were taken instead of such proceedings.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

Question put, and agreed to.

Mr. Jowett (*Bradford, W.*) 1270
Mr. Barnes 1270

Amendment proposed to the Bill—

"In page 25, line 26, at the end, to insert the words, 'aniline and chrome poisoning, persons employed in or about dye works.'"—(*Mr. Jowett.*)

Question proposed, "That those word be there inserted in the Bill."

Mr. Herbert Samuel 1271

Amendment, by leave, withdrawn.

Bill to be read the third time upon Monday next, and to be printed. [Bill 365.]

Licensing (Removal of Doubts) Bill. [Second Reading.]—Order for the Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Clough (*Yorkshire, W.R., Skipton*) 1272
Mr. G. A. Hardy (*Suffolk, Stowmarket*) 1272

Amendment proposed—

"To leave out the word 'now and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Clough.*)

Question proposed, "That the word 'now' stand part of the Question."

The Attorney-Genral (*Sir John Walton, Leeds, S.*) 1273

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

Education (Provision of Meals) (Re-committed) Bill.

Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

Clause 1 :—

Mr. Harold Cox (Preston) 1274

Amendment proposed—

"In page 1, line 5, to leave out from the beginning to the word 'may,' in line 6, and insert the words 'the poor law guardians in any union.' "—(*Mr. Harold Cox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

The Parliamentary Secretary to the Board of Education (Mr. Lough, Islington, W.) 1278
Colonel Kenyon-Slaney (Shropshire, Newport) 1280
Dr. Macnamara (Camberwell, N.) 1282
The President of the Local Government Board (Mr. John Burns, Battersea) 1284
Sir Henry Craik (Glasgow and Aberdeen Universities) 1285
Sir Frederick Banbury (City of London) 1286
Colonel Lockwood (Essex, Epping) 1287
Mr. Claude Hay (Shoreditch, Hoxton) 1288

Question put.

The Committee divided :—Ayes, 290 ; Noes, 36. (Division List No. 466.)

And, it being Eleven of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress ; to sit again To-morrow.

Burials Bill.

Considered in Committee.

(In the Committee.)

Clause 1 :—

Mr. Claude Hay 1291

And, it being after Eleven of the clock, and objection being taken to further Proceeding, the Chairman left the Chair to make his Report to the House.

Committee report Progress ; to sit again To-morrow.

Message from the Lords.—That they have agreed to—Education (England and Wales) Bill, with Amendments 1292

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Education (England and Wales) Bill.—Lords' Amendments to be considered upon Monday next, and to be printed. [Bill 366.] 1292

Whereupon Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at four minutes after Eleven o'clock.

HOUSE OF COMMONS: FRIDAY, 7TH DECEMBER, 1906.

The House met at Twelve of the Clock.

PETITIONS.

CONGO FREE STATE.—Petition from Chorley, for the better protection of the Natives; to lie upon the Table 1293

LICENSING ACTS.—Petition from Tongham, for alteration of Law; to lie upon the Table 1293

RETURNS, REPORTS, ETC.

PENSIONS AND SUPERANNUATION ALLOWANCES.—Return presented, relative thereto [ordered 28th May, *Mr. Barnes*]; to lie upon the Table 1293

Education (England and Wales) Bill.—Copy ordered "of Bill showing the Amendments made by the Lords."—(*Mr. Birrell.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 372] 1294

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

EXPENDITURE OF IRISH DEPARTMENT OF AGRICULTURE.—Question, Mr. Barnard (Kidderminster); Answer, Mr. McKenna 1294

CONDITIONS OF LABOUR AND PAYMENT IN POST OFFICE FACTORY, MOUNT PLEASANT.—Question, Mr. Steadman (Finsbury, Central); Answer, Mr. Sydney Buxton 1295

DEATH OF ASSISTANT SUPERINTENDENT, CABLE ROOM, CENTRAL TELEGRAPH OFFICE.—Question, Major Coates (Lewisham); Answer, Mr. Sydney Buxton 1296

IRREGULAR WITHDRAWAL FROM LLANGRANOG POST OFFICE SAVINGS BANK.—Question, Mr. D. A. Thomas (Merthyr Tydvil); Answer, Mr. Sydney Buxton 1297

POST OFFICE TELEGRAPHISTS AND DUTY ON PROVINCIAL NEWSPAPER WIRES.—Question, Mr. Byles; Answer, Mr. Sydney Buxton 1298

CHINESE TRADE MARK LAW.—Question, Mr. Tillett (Norwich); Answer, Sir Edward Grey 1298

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THE COLONIAL CONFERENCE.—Question, Mr. E. H. Lamb (Rochester); Answer, Mr. Churchill 1299

SUNDAY OPENING OF THE NATIONAL GALLERIES.—Question, Mr. Horniman (Chelsea); Answer, Mr. McKenna 1299

INADEQUATE ACCOMMODATION AT ANTRIM POST OFFICE.—Question, Mr. Sloan; Answer, Mr. Sydney Buxton 1299

RELIEF OF THE UNEMPLOYED.—Question, Mr. Brooke (Tower Hamlets, Bow and Bromley); Answer, Mr. John Burns 1300

GENERAL LIGHTHOUSE FUND ACCOUNTS.—Question, Sir Robert Ropner (Stockton); Answer, Mr. Lloyd-George 1301

REBUILDING OF SCHOOL HOUSE AT KEELNABRACK, GLENBEIGH.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Bryce 1301

VALUE OF HOLDINGS ON SIR A. COOTE'S ESTATE, QUEEN'S COUNTY.—Question, Mr. Delany (Queen's County, Ossory); Answer, Mr. Bryce 1301

SALARY OF TEACHER OF BALLAGHAMEEHAN NATIONAL SCHOOL.—Question, Mr. Dolan (Leitrim, W.); Answer, Mr. Bryce 1302

GRANTS OF LAND TO IRISH LABOURERS.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Bryce 1302

BUSINESS OF THE SESSION.

The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1303

Motion made, and Question proposed, "That for the remainder of the session Government business be not interrupted under the provisions of any Standing Order regulating the sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11.—(*Sir H. Campbell-Bannerman.*) ..

Mr. A. J. Balfour (City of London) 1304
The Chancellor of the Exchequer (Mr. Asquith, Fifeshire, E.) 1309
Lord R. Cecil 1311
Sir H. Campbell-Bannerman 1312
Mr. William Redmond (Clare, E.) 1312
Sir William Anson (Oxford University) 1313
Lord Balcarres (Lancashire, Chorley) 1313
Sir H. Campbell-Bannerman 1313
Mr. Bottomley (Hackney, S.) 1314
Mr. Bowles (Lambeth, Norwood) 1314
Mr. Victor Cavendish (Derbyshire, W.) 1314
Sir Henry Craik (Glasgow and Aberdeen Universities) 1315
Mr. Hunt (Shropshire, Ludlow) 1315

Question put, and agreed to.

Ordered, That, for the remainder of the session, Government business be not interrupted under the provisions of any Standing Order regulating the sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11.—(*Sir H. Campbell-Bannerman.*)

Education (Provision of Meals) (Re-committed) Bill.

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 1:—

Mr. Brigg (*Yorkshire, W.R., Keighley*) 1315
Mr. Masterman (*West Ham, N.*) 1316

Amendment proposed—

"In page 1, line 6, to leave out the words, 'with a view to the organisation and direction of the provision of a mid-day meal,' and insert the words 'to provide meals.'"—(*Mr. Masterman.*) .. ..

Question proposed, "That the words proposed to be left out stand part of the clause."

The Parliamentary Secretary to the Board of Education (*Mr. Lough, Islington, W.*) 1317

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 1, line 6, to leave out the words 'with a view to the organisation and direction of' and insert the word 'for.'"—(*Mr. Lough.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Sir Francis Powell (*Wigan*) 1318
Sir William Anson (*Oxford University*) 1319
Mr. Brigg 1320
Sir Henry Craik (*Glasgow and Aberdeen Universities*) 1320
Dr. Macnamara (*Camberwell, N.*) 1322
Lord Balcarres (*Lancashire, Chorley*) 1322
Sir W. J. Collins (*St. Pancras, W.*) 1324
Sir Francis Powell 1324
Sir J. Dickson-Poynder (*Wiltshire, Chippenham*) 1325
Mr. Bridgeman (*Shropshire, Oswestry*) 1325
Mr. Rees (*Montgomery Boroughs*) 1326
Mr. Bowles (*Lambeth, Norwood*) 1327
Mr. W. T. Wilson (*Lancashire, Westhoughton*) 1329
Sir F. Banbury (*City of London*) 1329

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Mr. Maddison (Burnley) 1331
Captain Craig (Down, E.) 1331
Mr. Lough 1333
Mr. Harold Cox 1334

Question put.

The Committee divided :—Ayes, 41 ; Noes, 219. (Division List No. 467.)

Word "for" inserted.

Amendment proposed—

"In page 1, line 7, to leave out the words 'a mid-day meal' and insert the word 'meals.'"—(*Mr. Lough.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Question put.

The Committee divided :—Ayes, 233 ; Noes, 28. (Division List No. 468.)

Mr. Bowles 1339

Amendment proposed—

"In page 1, line 8, after the word 'for' to insert the word 'underfed.'"—(*Mr. Bowles.*)

Question put, "That the word 'underfed' be there inserted."

Mr. Lough 1339
Sir Francis Powell 1340
Mr. Hart-Davies (Hackney, N.) 1341
Lord R. Cecil 1341
Mr. Harold Cox (Preston) 1342
Sir Frederick Banbury 1343
Dr. Macnamara 1343
Mr. A. J. Balfour (City of London) 1344
Mr. Ashley (Lancashire, Blackpool) 1344
Viscount Morpeth (Birmingham, S.) 1345
Sir William Anson 1345
Mr. Keir Hardie (Merthyr Tydvil) 1346
Mr. Rogers (Wiltshire, Devizes) 1347
Captain Craig 1347
Sir Henry Craik 1348
Mr. Hunt 1349

Question put.

The Committee divided :—Ayes, 39 ; Noes, 230. (Division List No. 469.)

Captain Craig 1351

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Amendment proposed—

“ In page 1, line 9, after the word ‘ area,’ to insert the words ‘ whose parents or guardians signify their approval in writing to the authority. ’ ”—(*Captain Craig.*)

Question proposed, “ That those words be there inserted.”

Mr. Lough 1353
Sir Frederick Banbury 1353
Mr. Bowles 1354
Mr. Bridgeman 1355
Lord R. Cecil 1356
Sir William Anson 1356

Question put, and negatived.

Mr. Bottomley 1356

Amendment proposed—

“ In page 1, to leave out lines 10 to 13, inclusive.”—(*Mr. Bottomley.*)

Question proposed, “ That the words in line 10 down to the word ‘ any ’ stand part of the clause.”

Mr. Lough 1357
Viscount Morpeth 1357
Lord Balcarres 1357

Amendment negatived.

Mr. Harold Cox 1358

Amendment proposed—

“ In page 1, line 10, to leave out from the word ‘ committee,’ to the word ‘ who ’ in line 11.”—(*Mr. Harold Cox.*)

Question proposed, “ That the words proposed to be left out stand part of the clause.”

Mr. Lough 1358
Sir Frederick Banbury 1359
Sir William Anson 1359
Sir Francis Powell 1360
Viscount Morpeth 1360

Amendment negatived.

Mr. Samuel Roberts Sheffield, Ecclesall) 1360

Amendment proposed—

“ In page 1, line 11, after ‘ authority,’ to insert the words ‘ and the board of guardians for the Poor Law union or unions within the area of the local education authority. ’ ”—(*Mr. Samuel Roberts.*)

Mr. Lough .. 1361
Sir William Anson .. 1361
Sir J. Dickson-Poynder (*Wiltshire, Chippenham*) .. 1361
Sir Francis Powell .. 1362
Viscount Morpeth .. 1363
Mr. Victor Cavendish .. 1364
Sir Frederick Banbury .. 1365
Mr. Jowett (*Bradford, W.*) .. 1367
Lord Balcarres .. 1367
Mr. Lough .. 1368
Mr. Bowles .. 1369
Mr. Claude Hay .. 1370

Question put.

The Committee divided :—Ayes, 33 ; Noes, 186. (Division List No. 470.)

Mr. Lough claimed " That the Question ' That the words of the clause to the word " save," in page 1, line 18, stand part of the clause,' be now put."

Question put, " That the Question ' That the words of the clause to the word " save " in page 1, line 18, stand part of the clause,' be now put."

The Committee divided :—Ayes, 176 ; Noes, 33. (Division List No. 471.)

Question put accordingly.

The Committee divided :—Ayres, 179 ; Noes, 32. (Division List No. 472.)

Mr. Bridgeman .. 1377

Amendment proposed—

" In page 1, line 18, to leave out the words ' save as hereinafter provided.' "—(*Mr. Bridgeman.*) ..

Question proposed, " That the words proposed to be left out stand part of the clause."

Dr. Macnamara .. 1380
Mr. Evelyn Cecil (*Aston Manor*) .. 1383
Mr. Keir Hardie .. 1385
Mr. Lambton (*Durham, S.E.*) .. 1387
Mr. Mallet (*Plymouth*) .. 1388
Sir Frederick Banbury .. 1391
Sir J. Dickson-Poynder (*Wiltshire, Chippenham*) .. 1394
Mr. Jowett .. 1396
Mr. Pickersgill (*Bethnal Green, S.W.*) .. 1397
Mr. Lough .. 1397
Sir Henry Craik .. 1399
Mr. Harold Cox .. 1402
Mr. Hunt .. 1403
Sir E. Boyle (*Taunton*) .. 1404
Captain Craig .. 1404
Mr. Claude Hay .. 1406

Question put.

The Committee divided :—Ayes, 130 ; Noes, 17. (Division List No. 473.)

Mr. LOUGH claimed " That the Question ' That the clause, as amended, stand part of the Bill,' be now put."

Question put, " That the Question ' That the clause, as amended, stand part of the Bill,' be now put."

The Committee divided :—Ayes, 126 ; Noes, 18. (Division List No. 474.)

Question put accordingly.

The Committee divided :—Ayes, 128 ; Noes, 17. (Division List No. 475.)

Clause 2 :—

Mr. Harold Cox 1413

Amendment proposed—

" In page 1, line 21, after the word ' charged ' to insert the words ' by way of prepayment.' "—(*Mr. Harold Cox.*)

Question proposed, " That those words be there inserted."

Sir Frederick Banbury 1413
Lord Balcarres 1414
Captain Craig 1414
Mr. Harold Cox 1414

Amendment negatived.

Mr. Hunt 1415

Amendment proposed—

" In page 1, line 23, after the word ' amount ' to insert the words ' not exceeding one penny per meal.' "—(*Mr. Hunt.*) .. .. ..

Question put, " That those words be there inserted."

Mr. Lough 1415

Amendment negatived.

Mr. Harold Cox 1415

Amendment proposed—

" In page 1, line 23, to leave out from the word ' determined,' to the end of line, and insert the words ' sufficient to cover the full cost of providing, cooking, and serving that meal, including the interest and depreciation on the capital expended on land, buildings, furniture, and Apparatus.' "—(*Mr. Harold Cox*).

Question proposed "That the word 'by' stand part of the clause."

Mr. Lough 1416
Mr. Keir Hardie 1416
Lord R. Cecil 1417
Mr. J. Ward (Stoke-on-Trent) 1418
Dr. Macnamara 1419
Mr. Bridgeman 1419
Mr. Chiozza Money (Paddington, N.) 1420
Mr. Lough 1421
Lord Balcarres 1421
Mr. Seddon (Lancashire, Newton) 1422
Viscount Morpeth 1422
Sir W. J. Collins 1423
Sir Henry Craik 1423
Mr. Seaverns (Lambeth, Brixton) 1424
Mr. Harold Cox 1424

Mr. LOUGH rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes, 155 ; Noes, 25. (Division List No. 476).

Question put accordingly, "That the word 'by' stand part of the clause."

The Committee divided :—Ayes, 158 ; Noes, 25. (Division List No. 477.)

Mr. Bottomley 1429

Amendment proposed—

"In page 1, line 23, to leave out from the word 'authority to the end of the clause, and insert the words 'unless such parent shall be furnished with an order from the guardians of the poor law union in which he resides, authorising the provision of such meals at the cost of the guardians.' "—(*Mr. Bottomley.*)

Question proposed, "That the word 'and' stand part of the clause."

Mr. F. E. Smith 1429

Motion made, and question proposed, "That the Chairman do report progress, and ask leave to sit again."—(*Mr. F. E. Smith.*)

Mr. Lough 1430
Mr. John O'Connor (Kildare, N.) 1430
Lord Balcarres 1430
Lord R. Cecil 1431
Mr. Keir Hardie 1431
Mr. William Redmond (Clare, E.) 1431
The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1432
Mr. Victor Cavendish 1432

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Question put.

The Committee divided :—Ayes, 23 ; Noes, 152. (Division List No. 478.)

Original Question again proposed.

Mr. Rawlinson (*Cambridge University*) 1435
Mr. Lough 1436
Mr. F. E. Smith 1436

Amendment negatived.

Mr. Bowles 1437

Amendment proposed—

"In page 1, line 24, after the word 'and' to insert the words 'a statement of all payments due from him in respect of such meals shall be rendered to each parent weekly.'"—(*Mr. Bowles*).

Question proposed, "That those words be there inserted."

Mr. Lough 1438
Sir William Bull (*Hammersmith*) 1438
Lord Balcarres 1438
Sir Frederick Banbury 1439

Amendment negatived.

Mr. Lough 1439

Amendment proposed—

"In page 1, line 24, at the end, to insert 'it shall be the duty of.'"—(*Mr. Lough.*)

Question proposed, "That those words be there inserted."

Lord R. Cecil 1440
Mr. John Ward 1440
Mr. Lough 1440
Mr. Cave (*Surrey, Kingston*) 1441
Mr. Bridgeman 1441
Viscount Morpeth 1442
Lord Balcarres 1443
Mr. Harold Cox 1443
Mr. Walsh (*Lancs., Ince*) 1444

Question put, and agreed to.

Amendments proposed—

"In page 2, line 26, to leave out the word 'shall' and insert the word 'to.'"

"In page 2, line 2, leave out from the word 'from' to end of line 11 and to insert the words 'that parent, and any such amount may be recovered summarily as a civil debt.'"—(*Mr. Lough.*)

Amendments agreed to.

Sir Wm. Bull 1444

Amendment proposed—

"In page 2, after the words last inserted, to insert the words 'provided that under no circumstances shall a parent be convicted for default in payment of any sum under this Act."—(*Sir William Bull.*)

Question proposed, "That those words be there added."

Mr. Lough 1444
Mr. Rawlinson 1445
Mr. Claude Hay 1445
Mr. Pickersgill (Bethnal Green, S.W.) 1445
Mr. Nield (Middlesex, Ealing) 1446

Question put.

The Committee divided :—Ayes, 22; Noes, 126. (Division List No. 479.)

Mr. Lough 1447

Amendment proposed—

"In page 2, line 11, at end, to add 'and the local education authority shall pay over to the school canteen committee the money so recovered, or such portion thereof as may represent the cost of the food furnished by the committee to the child, in respect of whom the payment is made.'"—(*Mr. Lough.*)

Amendment agreed to.

Clause 2, as amended, agreed.

Clause 3:—

Mr. Jowett 1447

Amendment proposed—

"In page 2, line 12, to leave out from the word 'authority,' to the word 'funds,' in line 13, and insert the words 'resolve that any of the children attending an elementary school within their area are unable by reason of lack of food to take full advantage of the education provided for them, and.'"—(*Mr. Jowett.*)

Question proposed, "That the words proposed to be left out stand part of the clause.

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Mr. Lough 1448

Amendment agreed to.

Amendment proposed—

"In page 2, line 25, to leave out from the third 'the' to end of clause, and to insert the words 'parish or parishes which, in the opinion of the council, are served by the school.'"—(*Mr. Lough.*)

Amendment agreed to.

Motion made, and Question proposed, "That the clause, as amended, stand part of the Bill."

Sir Frederick Banbury 1448
Mr. Victor Cavendish 1450

Question put.

The Committee divided :—Ayes, 132 ; Noes, 17. (Division List No. 480.)

Clause 4 :—

Mr. Bowles 1451

Amendment proposed—

"In page 2, line 27, to leave out from the word 'child,' to the word 'shall' in line 29."—(*Mr. Bowles.*) ..

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Lough 1452
Mr. Harold Cox 1452
Sir Henry Craik 1453
Mr. Rogers 1453
Sir Frederick Banbury 1453

Amendment negatived.

Mr. Bowles 1454

Amendment proposed—

"In page 2, line 33, after the word 'furnished,' to insert the words 'or unless the local education authority is satisfied that the failure of the parent to pay the amount demanded under this Act is due to his own default.'"—(*Mr. Bowles.*)

Question proposed, "That those words be there inserted."

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Mr. Lough 1455
Lord R. Cecil 1455
Mr. John O'Connor 1456
Mr. Bowles 1456

Amendment negatived.

Motion made, and Question proposed, "That the clause stand part of the Bill."

Lord R. Cecil 1457

Question put.

The Committee divided :—Ayes, 133 ; Noes, 15. (Division List No. 481.)

Clause 5 :—

Amendments proposed—

"In page 2, line 38, after the word 'borrowing,' to insert the words 'and as to the manner in which the amount which would be produced by any rate in the pound is to be estimated.'"

"In page 2, line 39, at end, to add the words 'and to the estimate of the produce of any rate in the pound for the purposes of this Act.'"

"In page 2, line 39, at end, to add the words '(2) Any expression to which a special meaning is attached in the Education Acts, 1870 to 1903, shall have the same meaning in this Act.'"

"In page 2, line 39, at the end, to add the words 'except that for the purpose of this Act the expression shall include any child in a public elementary school.'"—(*Mr. Lough.*)

Amendments agreed to.

Clause, as amended, agreed to.

Clause 6 :—

Amendments proposed—

"In page 3, line 1, to leave out from beginning to the word 'no,' in line 3."

"In page 3, line 3, after the word 'teacher,' to insert the words 'seeking employment or employed.'"

"In page 3, line 6, to leave out from 'meals' to end of clause."—(*Mr. Lough.*)

Amendments agreed to.

Motion made, and Question proposed, "That the clause, as amended, stand part of the Bill."

Dr. Macnamara 1459
Mr. Keir Hardie 1460
Mr. Lough 1460
Mr. Wedgewood (Newcastle-under-Lyme) 1460

Question put and agreed to.

Clause 7 :—

Amendments proposed—

"In page 3, line 11, after the word 'Scotland,' to insert (a) 'Scotch Education Department' shall be substituted for 'Board of Education.'"

"In page 3, line 12, after the word 'authority,' to insert the words 'shall be recoverable as if such amount were a sum or sums of aliment within the meaning of The Civil Imprisonment (Scotland) Act, 1882,' shall be substituted for the words 'may be recovered summarily as a civil debt.'"

"In page 3, line 12, to leave out from the word 'authority,' to the word 'and,' in line 14."

"In page 3, line 17, after the figures '1893,' to insert the words 'the Education (Scotland) Acts, 1897 and 1901,' and 'The Education of Defective Children (Scotland) Act, 1906.'"

"In page 3, line 17, at the end, to add,—'(b) the amount which would be produced by a rate of one halfpenny in the pound shall be estimated in accordance with regulations made by the Scotch Education Department.'"

Sir Henry Craik 1461
Mr. Eugene Wason (Clackmannan and Kinross) 1461
Mr. John O'Connor 1461
Mr. Younger (Ayr Burghs) 1462

Amendments agreed to.

Motion made, and Question proposed—"That the clause, as amended, stand part of the Bill."

Sir Henry Craik 1462
Mr. McCrae (Edinburgh, E.) 1463
Mr. Gulland (Dumfries Burghs) 1463
Major Seely (Liverpool, Abercromby) 1464
Mr. Keir Hardie 1464
Sir Henry Craik 1464

Question put, and agreed to.

Clause 8 :—

Motion made, and Question proposed, "That the clause stand part of the Bill."

Dr. Macnamara 1465
Mr. Keir Hardie 1465

Question put, and agreed to.

Bill reported; as amended to be considered upon Monday next, and to be printed. [Bill 366.]

Burials Bill.—Considered in Committee, and reported, without Amendment; read the third time, and passed.

Removal of Offensive Matter Bill.—Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. Claude Hay (*Shoreditch, Hoxton*) 1466

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Claude Hay.*)

Question proposed, "That the word 'now' stand part of the Question."

The President of the Local Government Board (*Mr. John Burns, Battersea*) 1466

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

Recorders, Stipendiary Magistrates, and Clerks of the Peace Bill.

Considered in Committee.

Clause 1:—

Amendment proposed—

"Page 1, line 21, at the end, to insert the words 'Provided that the power of a person to act temporarily under this provision shall not extend beyond a period of six months from the occurrence of the vacancy.' —(*Mr. Bowles.*)

Amendment agreed to.

Clause, as amended, agreed to.

Bill reported; as amended, to be considered upon Monday next 1468

ADJOURNMENT.—Resolved, "That this House, at its rising this day, do adjourn till Monday next."—(*Mr. Whiteley.*)

Whereupon Mr. Deputy-Speaker adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at nineteen minutes before Four o'clock a.m. till Monday next.

HOUSE OF LORDS: MONDAY, 10th DECEMBER, 1906.

PRIVATE BILL BUSINESS.

Ure Elder Fund Order Confirmation Bill [H.L.].—A Bill to confirm a Provisional Order relating to the Ure Elder Fund—Was presented by the Earl Beauchamp (for the Lord Hamilton of Dalzell); read 1^a; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, Section 7) deemed to have been read 2^a; and reported from the Committee. (No. 227) 1469

PETITIONS.

Education (England and Wales) Bill.—Petition for amendment of; of inhabitants of parish of Ross; read, and ordered to lie on the Table .. 1469

Education (England and Wales) Bill.—Petition against; of inhabitants of parish of Nailstone; read, and ordered to lie on the Table 1469

Trade Disputes Bill.—Petitions for Amendment of; of employers of labour in Aberdeen and district (signing); employers of labour in Yorkshire (signing); and Birmingham Chamber of Commerce; read, and ordered to lie on the Table 1469

RETURNS, REPORTS, ETC.

Colonies: Annual.—No. 512. Southern Nigeria (Report for 1905) 1469

Transvaal.—Transvaal Constitution, 1906. Letters Patent and Instructions relating to the Transvaal and Swaziland Order in Council.
Asiatic Law (Amendment Ordinance, No. 29, of 1906 1469

India (Trade).—Review of the trade of India in 1905–6. Presented (by Command), and ordered to lie on the Table 1469

Lunacy.—Report to the Lord Chancellor of the number of visits made, the number of patients seen, and the number of miles travelled by the visitors of lunatics, pursuant to the Lunacy Act, 1890, between 1st April and 30th September, 1906 1470

Shop Hours Act, 1904 (Hebden Bridge Urban District).—Order made by the council of the West Riding of Yorkshire, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain shops within the district.

Laid before the House (pursuant to Act), and ordered to lie on the Table 1470

THE MILITIA.

The Earl of Wemyss 1470
The Under-Secretary of State for War (*The Earl of Portsmouth*) 1478
Lord Lovat 1483
The Duke of Bedford 1484
The Earl of Donoughmore 1485
The Earl of Wemyss 1486

Plural Voting Bill [SECOND READING].—Order of the day for the Second Reading read.

Earl Beauchamp 1487

Moved, "That the Bill be now read 2ª."—(*Earl Beauchamp.*)

Viscount St. Aldwyn 1492

Amendment moved—

"That this House, while willing to consider a complete scheme for reforming the Parliamentary franchise and securing the fair representation of the people, declines to take into consideration a measure which while professing to remove an anomaly in our electoral system, imposes penalties on persons registered as voters for exercising the franchise with which they are entrusted by law, indirectly destroys ancient and important constituencies, and does nothing to remove the most glaring inequalities in the present distribution of electoral power."—(*Viscount St. Aldwyn.*)

Lord Courtney of Penwith 1501
The Marquess of Lansdowne 1509
The Lord Privy Seal (*The Marquess of Ripon*) 1513

On Question, "That the words proposed to be left out stand part of the Motion," their Lordships divided :—Contents, 43 ; Not-Contents, 143.

Proposed Resolution agreed to.

BUSINESS OF THE HOUSE.

The Marquess of Ripon 1519
The Marquess of Lansdowne 1519

Burials Bill.—Brought from the Commons ; read 1ª ; and to be printed. [No. 228] 1520

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS: MONDAY, 10TH DECEMBER, 1906.

The House met at a quarter before Three of the clock.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).—Petition from Lincoln, against alteration of Law; to lie upon the Table 1520

PARLIAMENTARY FRANCHISE.—Petitions for extension to women; from Halifax; Home Counties Union of Women's Liberal Associations; Lancaster; Saffron Walden; and Woodford; to lie upon the Table 1520

SMALL LANDHOLDERS (SCOTLAND) BILL.—Petition from Ayr, against; to lie upon the Table 1521

RETURNS, REPORTS, ETC.

PENSIONS AND SUPERANNUATIONS ALLOWANCES.—Return [presented 7th December] to be printed. [No. 373.] 1521

TRANSVAAL CONSTITUTION, 1906.—Copy presented, of Letters Patent and Instructions relating to the Transvaal and Swaziland Order in Council [by Command]; to lie upon the Table 1521

TRANSVAAL.—Copy presented, of the Asiatic Law Amendment Ordinance, No. 29, of 1906 [by Command]; to lie upon the Table 1521

COLONIAL REPORTS (ANNUAL).—Copy presented, of Report No. 512 (Southern Nigeria, Annual Report for 1905) [by Command]; to lie upon the Table .. 1521

GOVERNMENT DEPARTMENTS (IRELAND).—Return presented, relative thereto [ordered 12th July; *Mr. Jeremiah MacVeagh*]; to lie upon the Table .. 1521

SHOP HOURS ACT, 1904.—Copy presented, of Order made by the Council of the West Riding of Yorkshire and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of Shops within the Hebden Bridge Urban District [by Act]; to lie upon the Table .. 1521

INCOME-TAX.—Copies presented, of Extracts from Treasury Letters, dated October, 1842, and August, 1856, relating to Relief from Income-Tax in certain cases [by Command]; to lie upon the Table 1521

EAST INDIA (TRADE).—Copy presented, of Review of Trade of India for 1905–6 [by Command]; to lie upon the Table 1522

Paper laid upon the Table by the Clerk of the House:—

LUNACY.—Copy of Report to the Lord Chancellor of the number of visits made, the number of patients seen, and the number of miles travelled by the Visitors of Lunatics between 1st April, 1906, and 30th September, 1906 [by Act] 1522

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

INSPECTION OF WORKSHOPS IN CONVENTS.—Question, Mr. H. Beaumont, (Sussex, Eastbourne); Answer, Mr. Gladstone 1522

THE GRENADA EDUCATION ORDINANCE.—Question, Mr. Charles Duncan (Barrow-in-Furness); Answer, Mr. Churchill 1522

REMOVAL OF MONTHLY COURTS FROM CROMARTY.—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Sinclair 1523

QUALIFICATIONS OF TEACHERS IN STATE-AIDED ELEMENTARY SCHOOLS.—Question, Mr. Weir; Answer, Mr. Sinclair 1523

REPAIR OF IRISH LIGHTSHIPS—TRADE UNION WAGES.—Question, Mr. Field (Dublin, St. Patrick); Answer, Mr. Kearley 1524

LOCH RYAN OYSTER FISHERIES.—Question, Mr. Hugh Barrie (Londonderry, N.); Answer, Mr. Kearley 1525

BUILDING REGULATIONS IN PENTONVILLE ROAD.—Question, Mr. Horniman (Chelsea); Answer, Mr. John Burns 1526

PAYMENT OF JURORS' EXPENSES.—Question, Mr. Lloyd Morgan (Carmarthenshire, W.); Answer, Mr. Gladstone 152

BIRCHING FOR SLEEPING OUT IN DORSETSHIRE.—Question, Mr. Lloyd Morgan; Answer, Mr. Gladstone 1527

SUNDAY CLOSING OF SHOPS—SUGGESTED LEGISLATION.—Question, Mr. F. E. Smith (Liverpool, Walton); Answer, Mr. Gladstone 1528

CONVOCATIONS OF CANTERBURY AND YORK—LETTERS OF BUSINESS.—Question, Mr. Paul (Northampton); Answer, Mr. Gladstone 1528

POSTAL DELIVERY IN THE INNISCARN DISTRICT, COUNTY DERRY.—Question, Mr. MacVeagh (Down, S.); Answer, Mr. Sydney Buxton 1528

LEARNERS IN THE IRISH POSTAL SERVICE.—Question, Mr. Delany (Queen's County, Ossory); Answer, Mr. Sydney Buxton 1529

APPOINTMENT OF MESSENGER TO POSTMASTERSHIP OF KILLUCAN.—Question, Mr. Delany; Answer, Mr. Sydney Buxton 1529

ERECTION OF PILLAR BOX AT LONGSTONE, COUNTY DOWN.—Question, Mr. MacVeagh; Answer, Mr. Sydney Buxton 1530

PAY OF DOCKYARD WRITERS.—Question, Sir John Benn (Devonport); Answer, Mr. Edmund Robertson 1530

REPORT ON NAVAL MANŒUVRES.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 1531

THE CASE OF THE CROSBIE ESTATE.—Question, Mr. Ginnell (Westmeath, N.); Answer, Mr. Cherry 1531

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SALARIES OF LOCAL GOVERNMENT BOARD OFFICIALS.—Question, Mr. Lupton (Lincolnshire, Sleaford); Answer, Mr. John Burns 1531

CLOTHING OF INMATES OF WORKHOUSES.—Question, Mr. Cowan (Surrey, Guildford); Answer, Mr. John Burns 1532

POPPY CULTIVATION IN INDIA.—Question, Sir Henry Cotton (Nottingham, E.); Answer, Mr. Morley 1532

SALE OF OPIUM.—Question, Sir Henry Cotton; Answer, Mr. Morley 1533

OPIUM IN STORE.—Question, Sir Henry Cotton; Answer, Mr. Morley 1533

OPIUM CULTIVATION IN INDIA.—Question, Sir Henry Cotton; Answer, Mr. Morley 1534

LEAVE ALLOWANCE OF INDIAN OFFICERS.—Question, Sir Seymour King (Hull, Central); Answer, Mr. Morley 1534

DELAY IN INSPECTION OF ESTATES IN SOUTH WESTMEATH.—Question, Mr. Donald Sullivan (Westmeath, S.); Answer, Mr. Bryce 1535

CAPTAIN CALDBECK AND BALLACOLLA ESTATE.—Question, Mr. Delany; Answer Mr. Bryce 1538

DROMARA EMBROIDERY CLASSES.—Question, Mr. MacVeagh; Answer, Mr. Bryce 1535

LABOURERS' COTTAGES AT AGHALEE (Antrim); Question, Mr. MacVeagh; Answer, Mr. Bryce 1536

KINALLEN EMBROIDERY CLASSES.—Question, Mr. MacVeagh; Answer, Mr. Bryce 1537

CAPTAIN CALDBECK'S ESTATE.—Question, Mr. Delany; Answer, Mr. Bryce .. 1537

UNTENANTED LAND AT NOBBER, COUNTY MEATH.—Question, Mr. Patrick White (Meath, N.); Answer, Mr. Bryce 1538

IRISH ESTATE IN CHANCERY.—Question, Dr. Ambrose (Mayo, W.); Answer, Mr. Bryce 1538

GOVERNMENT AND COTTON GAMBLING.—Question, Mr. Field; Answer, Sir H. Campbell-Bannerman 1539

QUESTIONS IN THE HOUSE.

DOCKYARD WAGES.—Question, Mr. Jenkins (Chatham); Answer, The Civil Lord of the Admiralty (Mr. Lambert, Devonshire, South Molton) 1539

H.M.S. "RENOWN."—Question, Mr. Nield (Middlesex, Ealing); Answer, Mr. Lambert 1540

TORPEDO BOAT DUTIES.—Question, Mr. Nield; Answer, Mr. Lambert 1540

GUNS FOR THE NAVY.—Question, Mr. Nield; Answer, Mr. Lambert 1541

UNITED STATES NAVAL PROGRAMME.—Questions, Mr. Bellairs (Lynn Regis), Mr. Chiozza Money (Paddington, N.); Answer, Mr. Lambert 1541

CAVALRY FOR SCOTLAND.—Question, Major Anstruther-Gray (St. Andrews Burghs); Answer, The Secretary of State for War (Mr. Hldane, Haddington) 1541

HILSEA ARTILLERY BRIGADE.—Question, Captain Faber (Hampshire, Andover); Answer, Mr. Haldane 1542

GOOD CONDUCT ARMY PAY.—Question, Captain Faber; Answer, Mr. Haldane .. 1542

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THE SCOTS GREYS.—Questions, Sir Carne Rasch (Essex, Chelmsford), Major Anstruther-Gray, Mr. Vincent Kennedy; Answer, Mr. Haldane 1543

SOLDIER'S DEATH AT CATERHAM.—Question, Sir W. J. Collins (St. Pancras, W.), Mr. Lupton (Lincolnshire, Sleaford); Answer, Mr. Haldane 1544

SMALL ARM AMMUNITION.—Question, Sir Frederick Banbury (City of London); Answer, Mr. Haldane 1545

DISBANDED BATTALIONS.—Question, Sir Samuel Scott (Marylebone, W.) Answer, Mr. Haldane 1545

BOUNTIES.—Question, Sir Samuel Scott; Answer, Mr. Haldane 1546

CURRAGH CAMP—USE OF MILITARY HORSES FOR PRIVATE PURPOSES.—Question, Mr. John O'Connor (Kildare, N.); Answer, Mr. Haldane 1546

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INDIAN PRINCES AND THE OFFICIAL GAZETTE.—Question, Mr. C. J. O'Donnell (Newington, Walworth); Answer, The Secretary of State for India (Mr. Morley, Montrose Burghs) 1548

SIERRA LEONE RUBBER TRADE.—Question, Mr. Smeaton (Stirlingshire); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 1548

TRANSVAAL MINES DEPARTMENT RETURNS.—Question, Major Seeley (Liverpool, Abercromby; Answer, Mr. Churchill 1549

RECRUITMENT OF CHINESE COOLIES.—Question, Major Seeley; Answer, Mr. Churchill 1549

TANJONG PAGAR DOCKS ARBITRATION.—Question, Mr. Wedgwood (Newcastle-under-Lyme); Answer, Mr. Churchill 1549

OPIUM IN THE MALAY STATES.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. Churchill 1550

PRISON LABOUR IN THE TRANSVAAL MINES.—Questions, Mr. Alden, Mr. Myer (Lambeth, N.), Mr. Byles (Salford, N.), Mr. Belloc (Salford, S.), Mr. Molteno (Dumfriesshire), Mr. William Redmond (Clare, E.), Mr. Swift MacNeill (Donegal, S.); Answer, Mr. Churchill 1550

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ILLEGAL FLOGGING AT LAGOS.—Questions, Mr. Summerbell (Sunderland), Mr. Bennett (Oxfordshire, Woodstock), Mr. Harold Cox (Preston), Mr. William Redmond; Answers, Mr. Churchill 1553

SLEEPING SICKNESS CURE.—Question, Mr. Rees (Montgomery Boroughs); Answer, Mr. Churchill 1554

BRITISH INDIANS AND CENTRAL AFRICA.—Question, Mr. Rees; Answer, Mr. Churchill 1555

TRANSVAAL CONSTITUTION.—Question, Mr. Rees; Answer, Mr. Churchill .. 1555

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INCOME-TAX ON COLONIAL AND FOREIGN SECURITIES.—Question, Sir William Bull; Answer, Mr. Asquith 1561

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JUVENILE OFFENDERS.—Question, Mr. Wedgwood; Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 1564

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COMMERCIAL MISSION TO CANADA.—Question, Mr. Lonsdale; Answer, Mr. Kearley 1569

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EDUCATION ESTIMATES.—Question, Mr. Ashley; Answer, The Secretary to the Board of Education (Mr. Lough, Islington, W.) 1570

SWANSEA EDUCATION DISPUTE.—Question, Lord R. Cecil (Marylebone, E.); Answer, Mr. Lough 1571

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WAR OFFICE BUILDINGS.—Question, Mr. W. T. Wilson (Lancashire, Westhoughton); Answer, The First Commissioner of Works (Mr. Harcourt, Lancashire, Rossendale) 1572

PETITIONS AGAINST THE EDUCATION BILL.—Question, Mr. Nield; Answer, Mr. H. J. Wilson (Yorkshire, W.R., Holmfirth) 1572

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CIVIL SERVICE RETIREMENT REGULATIONS.—Question, Sir G. Kekewich (Exeter); Answer, Mr. Runciman 1573

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TRANSVAAL CONSTITUTION.—Question, Mr. Lonsdale; Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1574

GAMBLING LEGISLATION.—Question, Mr. Bottomley; Answer, Sir H. Campbell-Bannerman 1574

PREMATURE PUBLICATION OF OFFICIAL DOCUMENTS.—Question, Lord R. Cecil; Answer, Sir H. Campbell-Bannerman 1574

THE TRANSVAAL CONSTITUTION.—Question, Mr. Bridgeman (Shropshire, Oswestry); Answer, Mr. Churchill 1575

NATIONAL GALLERIES OF SCOTLAND (EXPENSES).—Committee to consider of authorising the charge on the Consolidated Fund of an annuity presently payable out of moneys provided by Parliament, and of authorising the payment, out of moneys provided by Parliament, of expenses incurred under any Act of the present session to establish a Board of Trustees to manage the National Galleries of Scotland; and for other purposes (King's Recommendation signified), to-morrow.—(*Mr. Whiteley*) 1595

Education (England and Wales) Bill.—Order read, for Consideration of Lords' Amendments.

Mr. Paul (*Northampton*) 1576
Mr. Speaker 1579
The President of the Board of Education (*Mr. Birrell, Bristol, N.*) .. 1580

Motion made, and Question proposed, "That the Lords Amendments be now considered."—(*Mr. Birrell.*)

Mr. A. J. Balfour (*City of London*) 1599
Mr. John Redmond (*Waterford*) 1611
Mr. Perks (*Lincs., Louth*) 1617
Mr. Belloc (*Salford, S.*) 1620
Mr. Alfred Hutton (*Yorks., W.R., Morley*) 1622
Sir Alfred Thomas (*Glamorganshire, E.*) 1623
Sir George Doughty (*Great Grimsby*) 1630
Mr. Maddison (*Burnley*) 1633
Mr. Evelyn Cecil (*Aston Manor*) 1636
Sir John Kennaway (*Devonshire, Honiton*) 1639
Mr. Rees (*Montgomery Boroughs*) 1641
Mr. Lane-Fox (*Yorks. W.R., Barkston Ash*) 1642
Mr. Hart-Davies (*Hackney, N.*) 1644

Question, "That the Lords' Amendments be now considered," put, and agreed to.

Motion made, and Question proposed, "That further proceedings on the consideration of the Lords' Amendments be now adjourned."—(*Mr. Gladstone.*)

Lord Balcarres (Lancs., Chorley) 1645
Mr. Claude Hay (Shoreditch, Hoxton) 1646
Mr. Birrell 1646

Question put, and agreed to. Lords' Amendments to be further considered to-morrow.

Street Betting Bill [Lords].—As amended, considered.

The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) .. 1647

New Clause—

"(4) In Ireland where in pursuance of this Act an order is made by a court of summary jurisdiction for a term of imprisonment not exceeding one month, without the option of a fine, the party against whom the order is made shall be entitled to appeal in like manner as if the term of imprisonment exceeded one month.'"—(*The Attorney-General for Ireland.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Claude Hay 1647

Question put, and agreed to.

Clause read the second time, and added to the Bill.

Mr. Claude Hay 1648
Mr. Bottomley (Hackney, S.) 1649

Amendment proposed to the Bill—

"In page 1, line 5, after the word 'person,' to insert the words 'being a bookmaker or habitual bettor.'"—(*Mr. Claude Hay.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 1650

Question put.

The House divided:—Ayes, 5; Noes, 285. (Division List No. 482.)

Mr. Claude Hay 1653

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Amendment proposed to the Bill—

"In page 1, line 9, after the word 'wager' to insert the words 'or transmitting bets or wagers.'"—(*Mr. Claude Hay.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 1654
Sir Frederick Banbury (*City of London*) 1654

Amendment, by leave, withdrawn.

Mr. Bottomley 1655

Amendment proposed to the Bill—

"In page 1, line 18, to leave out the word 'sixteen' and insert the word 'eighteen.'"—(*Mr. Bottomley.*)

Question proposed, "That the word 'sixteen' stand part of the Bill."

Mr. Gladstone 1656
Mr. Rawlinson 1656

Question put.

The House divided :—Ayes, 237 ; Noes, 87. (Division List No. 483.)

Mr. Bottomley 1655
Mr. O'Hare (*Monaghan, N.*) 1655

Amendment proposed to the Bill—

"In page 1, line 18, after the word 'years,' to insert the words 'or with a female.'"—(*Mr. Bottomley.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Gladstone 1660

Question put, and negatived.

Mr. Bottomley 1660

Amendment moved to the Bill—

"In page 2, line 2, after the word 'other,' to insert the word 'similar.'"—(*Mr. Mitchell-Thomson.*)

Question proposed, "That that word be there inserted in the Bill."

Mr. F. E. Smith (*Liverpool, Walton*) 1661

Amendment proposed to the Bill—

"In page 2, line 4, to leave out Sub-section (2) of Clause 1."—(*Mr. F. E. Smith.*)

Question proposed, "That the words 'any constable may take into custody' stand part of the Bill."

Mr. Gladstone 1662
Mr. Rawlinson 1662
Mr. J. W. Wilson (*Worcestershire, N.*) 1663
Sir Samuel Scott (*Marylebone, W.*) 1664
Sir W. Robson 1665
Mr. Claude Hay 1666
Mr. Bottomley 1666
Mr. Bowles (*Lambeth, Norwood*) 1667
Sir Frederick Banbury 1667
Mr. Radford (*Islington, E.*) 1669
Mr. John O'Connor (*Kildare, N.*) 1669
The Under-Secretary of State for the Home Department (*Mr. Herbert Samuel, Yorkshire, Cleveland*) 1670
Mr. Morton (*Sutherland*) 1671
Captain Faber (*Hants, Andover*) 1672
Mr. Hills (*Durham*) 1672
Mr. Herbert Samuel 1672
Mr. F. E. Smith 1673

Question put.

The House divided :—Ayes, 191 ; Noes, 98. (Division List No. 484.)

Mr. Bottomley 1675
Mr. Lupton (*Lincolnshire, Sleaford*) 1675

Amendment proposed to the Bill—

"In page 2, line 4, to leave out the words 'without warrant,' and insert the words 'upon complaint made.'"—(*Mr. Bottomley.*)

Question proposed, "That the words 'without warrant' stand part of the Bill."

Mr. Gladstone 1677
Mr. F. E. Smith 1677

Amendment negatived.

Mr. Bottomley 1678

Amendment proposed to the Bill—

"In page 2, line 9, after the word 'proved,' to insert the words 'or unless the person charged shall satisfy the Court that he had reasonable ground for believing otherwise.'"—(*Mr. Bottomley.*)

Question, "That those words be there inserted in the Bill," put and agreed to.

Mr. Claude Hay 1678
Mr. F. E. Smith 1679

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Amendment proposed to the Bill—

"In page 2, line 13, after the word 'any,' to insert 'post or telegraph office.'"—(*Mr. Claude Hay.*)

Question proposed, "That those words be there inserted in the Bill."

The Postmaster-General (*Mr. Sydney Buxton, Tower Hamlets, Poplar*) .. 1680
Lord Balcarres 1681
Mr. Bowles 1682
Mr. William Redmond 1682
Mr. Lupton 1684

Question put.

The House divided:—Ayes, 14; Noes, 205. (Division List No. 485.)

Mr. Clough (*Yorks, W.R., Skipton*) 1687
Mr. Luttrell (*Devonshire, Tavistock*) 1688

Amendment proposed to the Bill—

"In page 2, line 22, to leave out Clause 2.'"—(*Mr. Clough.*)

Question proposed, "That the words proposed to be left out, to the word 'or,' in line 23, stand part of the Bill."

Mr. Gladstone 1688
Mr. Hicks Beach (*Gloucestershire, Tewkesbury*) 1688
Mr. J. W. Wilson 1689
Lord Balcarres 1689
Mr. Byles 1690
Mr. Eugene Wason (*Clackmannan and Kinross*) 1690

Question put.

The House divided:—Ayes, 144; Noes 40. (Division List No. 486.)

Bill read the third time, and passed with Amendments.

Removal of Offensive Matter Bill.—Considered in Committee, and reported, without Amendment; read the third time, and passed 1693

Recorders, Stipendiary Magistrates, and Clerks of the Peace Bill.—As amended, considered; read the third time, and passed 1693

Judicature (Ireland) Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1693

Irish Education (Afflicted Children) Bill.—Order for Committee read, and discharged. Bill withdrawn 1693

Infectious Disease (Ireland) Bill.—Order for Committee read, and discharged. Bill withdrawn 1693

Dublin Police Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1693

Local Registration of Title (Ireland) Bill.—Order for Committee read, and discharged. Bill withdrawn 1693

Agricultural Holdings (Scotland) (Consolidation) Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1693

Agricultural Holdings (Consolidation) Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1693

Judicature Bill [LORDS].—Order for Second Reading read, and discharged. Bill withdrawn 1693

Matrimonial Causes Act Amendment Bill [LORDS].—Order for Second Reading read, and discharged. Bill withdrawn 1694

Salmon and Freshwater Fisheries Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1694

Poisons and Pharmacy Bill [LORDS].—Order for Second Reading read, and discharged. Bill withdrawn 1694

Education (Consolidation) Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1694

Sea Fisheries (Scotland) (Application of Penalties) Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1694

Criminal Appeal Bill [LORDS].—Order for Second Reading read, and discharged. Bill withdrawn 1694

Supply of Electricity Bill.—Order for Second Reading read, and discharged. Bill withdrawn 1694

Licensing (Removal of Doubts) Bill.—Considered in Committee, and reported, without Amendment; Bill read the third time, and passed 1694

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-nine minutes after One o'clock.

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THE

PARLIAMENTARY DEBATES

(*AUTHORISED EDITION*)

IN THE

FIRST SESSION OF THE *TWENTY-EIGHTH PARLIAMENT* OF THE UNITED
KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET
THE THIRTEENTH DAY OF FEBRUARY IN THE SIXTH YEAR OF THE
REIGN OF

HIS MAJESTY KING EDWARD VII.

FIFTEENTH VOLUME OF SESSION 1906.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Wednesday, 28th November, 1906.

EARLDOM OF NORFOLK.

Report from the Committee for Privileges that the Petitioner Charles Botolph Joseph, Lord Mowbray, Lord Segrave, and Baron and Lord Stourton of Stourton, hath not made out his claim to the dignity of Earl of Norfolk; made and agreed to; and resolved and adjudged accordingly; and resolution and judgment to be laid before His Majesty by the Lords with White Staves: Ordered that all deeds, documents, and papers produced on behalf of the Petitioner and on behalf of Henry Duke of Norfolk, by their respective agents, be delivered to the said agents.

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill; Edinburgh Corporation (Superannuation) Order Confirmation Bill. Read 3^a (according to order), and passed.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against. Of inhabitants of parishes of Cosby; Prestwold; St. Andrews, Leicester; Asfordby and Kirby Bellars; and Bagbrooke; Of parents of children attending school at Little Addington; Of trustees of Church of England schools at Mountsorrel, in the diocese of Peterborough (2).

Read, and ordered to lie on the Table.

CIVIL EMPLOYMENT OF EX-SOLDIERS AND SAILORS.

LORD MONKSWELL rose to call attention to the Report of Sir Edward Ward's Committee on the Civil Employment of Ex-soldiers and Sailors issued last July which affirmed "the necessity of making the soldier, during his service, better fitted to cope with the difficulties of civil life than he is at present," and recommended (in substantial accord with a previous Report on the same subject by Sir George Chesney's Committee in 1895) among other things—

> "That every soldier should be required to learn some description of technical work during his military career.
>
> "That classes for instruction in motor-driving, etc., should be started as far as possible, and that opportunities should be afforded to the ex-soldier of acquiring instruction in other subjects such as shorthand and typewriting, correspondence, book-keeping, platelaying, trenching, saddlery, telegraphy, electric wiring, farm-work and ploughing, the slaughtering of cattle, etc., etc.
>
> "That arrangements be made with the technical institutes in the various cities and towns where soldiers are quartered, for the tuition of the men in various trades and crafts.
>
> "That arrangements should be made to give ex-soldiers facilities for emigration, and for obtaining while serving, a short course of training in work which is likely to be of use to them as emigrants;"

to ask what steps are being taken to carry these recommendations into effect; and to move for Papers. The noble Lord said: My Lords, in venturing to trouble the House again with my views on the civilian training of soldiers I hope your Lordships will allow me to be egotistical enough to express the satisfaction I feel that every word I have said on this subject in your Lordships' House has been more than justified by the Report of Sir Edward Ward's Committee, and it will be impossible in the future for my arguments to be put aside by the good-humoured banter with which the noble Marquess the Leader of the Opposition used to meet them in times gone by. This Report goes further than I have ever ventured to go, for it would apply compulsion to the civilian training of soldiers. In paragraph 51 the Report says—

> "We are strongly of opinion that every soldier should be taught some description of technical work during his military career. We recognise the difficulty of carrying out this suggestion, but we recommend that, when opportunities have been offered, every soldier should be required to obtain a knowledge of at least one subject."

I am very glad that compulsion has been suggested in this Report, and I hope the Secretary of State will see that it is applied. I am confident that it would act beneficially to the Army in two ways. In the first place, it would increase the efficiency of the instruction which is given to the soldier; and, in the second place, it would very materially affect the class of recruit, which is a most important matter.

I have had a great deal of conversation lately with those who have at heart the employment of ex-soldiers, and they unanimously agree that one of the difficulties they have to contend with in getting employment for these men is that, as regards a large number of them, they are, and have been from the first, idlers. They are persons who have entered the Army with the view of getting a livelihood with the least possible trouble, and if you ask them to do any hard work they decline to do it. These are not the men we want in the British Army; we should, if possible, weed them out. We know that there is a most regrettable number of desertions and a considerable amount of malingering in the Army. But if you said to recruits who wished to enlist that they would be compelled to learn a trade while in the Army it would be found that the persons who would make the best soldiers—namely, those who are willing to do hard work—would be extremely anxious to join in order to obtain the advantage of being taught a trade; and at the same time the idlers who go into the Army with the view of doing as little as they possibly can would naturally be choked off. The Report appears to me to be in all respects admirable. The question arises, What is going to be done with it? I am rather afraid that it will come to nothing. Ten years ago there was a Report of a larger Committee which also recommended the civilian training of soldiers, but of that nothing whatever has come. Yet, my Lords, during those ten years the Army has been organised, reorganised, and disorganised, and every single detail of military equipment and training has been fully and eagerly considered in this House. But I have found it absolutely impossible to obtain from any noble Lord any expression of opinion with regard to the civilian training of soldiers. No noble Lord has approached within a thousand miles of this subject, unless he has been an official of the War Office who has been obliged to answer my question. I see with considerable misgiving that the present

Secretary of State is following the example of previous War Ministers.

This Report has been out since July, and yet the Secretary of State, in the abundance of good advice he is always giving to the soldier, has never once said a single syllable about this Report. I observe in the Press, however, that instructions have been sent to general officers commanding districts with a view to securing that they shall provide some sort of technical training for soldiers who are about to join the Reserve. I should like to know what those instructions are, and why all soldiers are not to be taught, but only those who are about to quit the colours. I should like to know, also, what sort of response the general officers commanding have made to that circular, and what they propose to do.

The Report acknowledges the difficulties that are inherent in this subject. The general officers commanding are perfectly certain to make the most of those difficulties. There are two reasons why they are opposed to this particular reform. One is that they do not consider it their duty to do anything except make a man an efficient soldier. But there is another and a much deeper reason than that, and it is, from their point of view, a perfectly good and patriotic reason. They believe that anybody who wishes to teach the soldier a trade while he is with the colours is a traitor to the sacred cause of conscription. They do not want volunteer service to succeed, and anything that is likely to make voluntary service a success they look upon with suspicion and dislike. They will fight in every way against this reform; they will fight it as they have in the past by sham experiments, by experiments manœuvred in such a way that they were bound to fail from the very beginning, like the notorious Woolwich experiment, which entirely hoodwinked the noble Marquess Lord Lansdowne when he was at the War Office.

I find that that kind of tactics have already begun. The officers in the British Army are saying that you cannot teach the soldier a trade because the trade unions do not like it. It seems to me to be a most remarkable thing that British officers should go about suggesting that they cannot teach the soldier a trade because they are intimidated by trade unions. That any British officer should take up that line of argument seems to show that the officers generally are not particularly anxious that the experiment should be tried. But, as the objection is taken, I went to Mr. Crooks, the Member for Woolwich, and asked him whether it was true that the trade unions objected. He replied, "Nothing of the kind. What the trade unions object to is not teaching the soldier a trade, but the amount of preferential treatment now given to ex-soldiers." Therefore, so far as trade unions are concerned, that argument seems to me to fall entirely to the ground.

Nothing whatever in this direction has been done officially since 1895 except, I think, the Woolwich experiment, which was a mere farce. Everything that has been done since 1895, and before 1895, has been by voluntary effort, and I am very glad to acknowledge that Major Harkness, of the Royal Marine Artillery, has done good work in teaching his men, and the result has been that his men have no difficulty at all in getting employment. I think I have some claim to ask your Lordships to come to my assistance in this matter. I have never spared any pains in bringing it before your Lordships, and I do hope you will look into this matter, and that after this strong Report I shall get some little support in pressing upon the authorities that this reform should be carried through.

The merits of this reform are not at all difficult to understand. They lie on the surface. It is the only way in which you can hope really to popularise the British Army. We must all acknowledge that it is a very cruel thing to discharge men from the Army without giving them a good prospect of employment. The service method of doing that is to give the ex-soldier preferential employment. That system has been tried for thirty years and has been found wanting. It is not sufficient. We must supplement it in some way or other, and the suggestion in this Report is that we should supplement it by making the soldier fit for employment on his own merits, so that it will not be necessary that he should have a preferential claim in the future. Hitherto I have been absolutely alone in this House in pleading for this reform. I had hoped that to-day my right hon. friend the Bishop of Bath and

Wells would have been here to support me, but I am sorry to say that by the doctor's orders he is kept away. However, I believe that my noble and gallant friend Lord Cheylesmore, who is in the House and was a member of Sir Edward Ward's Committee, will give me his support in pressing upon the Secretary of State the absolute necessity of carrying into effect the recommendations of this Committee. I beg to ask the Question standing in my name.

Moved, "That an humble Address be presented to His Majesty for Papers respecting the civil employment of ex-soldiers and sailors."—(*The Lord Monkswell.*)

*LORD CHEYLESMORE: My Lords, the noble Lord who has just sat down mentioned me by name as having been a member of this Committee, and I hope I may claim your Lordships' indulgence while I say a few words on the subject. The Committee was a very representative one. I was, however, the only Member of your Lordships' House who sat upon it. The Committee was composed of several officers of the Recruiting Department of the War Office, and the Paymaster-in-Chief represented the Admiralty. There also sat on the Committee Sir Frederick Harrison, the general manager of the London and North Western Railway, and Sir George Livesey, chairman of the South Metropolitan Gas Company.

It is quite possible that but few of your Lordships were aware that this Committee was sitting, and probably very few noble Lords have read our Report. Those of you who have read the Report will, I am sure, feel that we made a most exhaustive inquiry. We collected evidence from members of every Government Department, from the London County Council, from the City of Westminster, from the General Post Office, from the police in various counties, and from a great many large employers of labour; and there was an almost unanimous consensus of opinion that the conduct of the ex-soldier and sailor as regards sobriety, attention to duty, and punctuality compared most favourably with that of the civilian. On the other hand, there was an almost universal consensus of opinion that the ex-soldier and sailor were very seriously handicapped in the matter of skilled labour, and it was for that reason that the Committee submitted the recommendation which appears in the Notice standing in the name of Lord Monkswell on your Lordships' Paper to-day.

It came to our notice that the ex-sailor was able to obtain labour very much more easily than the ex-soldier. He is no doubt a more handy man. We have often heard of appeals to the patriotism of the great employers of labour to engage ex-soldiers and sailors, and we were most agreeably surprised on the Committee at the number of these men employed by the great railway companies, by the London County Council, and by the City of Westminster and other bodies in situations that were suited to their ability. But, with regard to skilled labour, it is, of course, much more difficult to get employers to engage these men, because the unskilled worker often does a great deal of harm to the material used, and if the work is done in groups he retards the work of the group. There is also the fact that serious opposition is offered on the part of trade unions to preferential treatment of soldiers.

I think the noble Lord who has brought this matter to the notice of your Lordships to day has been perhaps a little too severe on commanding officers. I am absolutely certain that it is not true to say that the universal feeling among commanding officers is in favour of conscription. Speaking for myself, I am strongly against conscription. I do not think it is necessary. The Committee were quite certain that there would be objection raised to their recommendation by commanding officers of battalions; and I have no doubt that while I was commanding a battalion I should have pointed out that a great many difficulties would have arisen if men were to be taught a trade during their time of service. But I have a suggestion which I think will get over the difficulty, and I hope it will be considered by the noble Earl the Under-Secretary of State for War.

As your Lordships are aware, the soldier serves a certain number of years with the Colours and is then transferred to the Reserve. While a man is serving in the "A" Reserve he is at any time liable to come up for service without any further Act of Parliament. I would suggest that in the last year of a man's service with the Colours he should commence to learn some trade, and that during the first year he is in the Reserve he might be taught that trade. This would mean a little extra expense, but I think the result obtained would be commensurate with the expenditure; and for three very good reasons. First, it would, in my opinion, give an impetus to recruiting; secondly, it would enable the ex-soldier to compete on favourable terms with the civilian; and, thirdly, it would tend to reduce the number of unemployed, who are increasing year by year. Unfortunately there are at the present time some 20,000 men relegated annually from service with the Colours to the Reserve, and there is no doubt that a very large proportion of these men are unable to find in the first year that they are turned on the world any employment, consequently they become unemployed and eventually chargeable to the rates.

I would venture to ask the noble Earl the Under-Secretary to take my suggestion into consideration. I think it might be a valuable one, and might meet the difficulties raised by commanding officers. I would also appeal to the noble Earl not to be oblivious of the rest of the recommendations made by this Committee. If my memory serves me aright, we made some thirty recommendations, of which only four are enumerated on the Paper. I hope that the noble Earl will do all he can to prevent this Report meeting with the same fate as that which has befallen the Reports of previous Committees, whose recommendations have been relegated to the pigeon holes of the War Office.

*LORD HAVERSHAM: My Lords, I wish to say a few words on this important subject before the noble Earl the Under-Secretary of State for War replies. I certainly think your Lordships and the Army are very much indebted to my noble friend below me, not only for bringing forward this subject to-day, but also for the persistence with which he has brought it to the notice of successive Secretaries of State. It is almost impossible to imagine that my noble friend who represents the War Office can give us other than a very sympathetic reply upon the question, because this Committee was appointed by the War Office itself. It had at its head one of the ablest officials at the War Office, Sir Edward Ward, and it pointed out the only means by which a better class of men can be attracted to the Army. Unless you can promise men that after they leave the ranks they will be able to find employment and subsistence, it is idle to hope that men of a better class will join.

We are not leading the way in this matter; we are lagging behind other nations. I remember going some years ago into a cavalry barrack at Vienna, and I was there told that the troopers made or repaired every article of their clothing themselves. I should like to know why that system has not been adopted here. The soldier who leaves the Army at the age of thirty, after twelve years service, is very heavily handicapped in his attempt to get civil employment when he has to compete with men who have learnt some kind of trade between the ages of eighteen and twenty. What the Report says I think everyone of your Lordships will endorse—

> "The State, having received from its soldiers and sailors good and diligent service during the best years of their lives, removes them from its employment on the completion of the contract, and leaves them to face, unaided and unequipped, the competition of the labour market."

I do not think that can possibly be denied, and it is such an evil that I hope the present War Office will take into consideration the recommendations of this Committee, and endeavour to afford greater facilities for teaching the men trades.

The Report divides itself naturally into three divisions. The first division relates to the consolidation of existing agencies. There are, of course, a great number of agencies, and it recommends that these should be united and co-ordinated, and that each of the subordinate agencies should be fully represented on the Central Committee. That will not only give greater *status* and weight to the position of the Central Committee, but will prevent overlapping. The second division relates to the number of places which may be found for soldiers who have left the colours. That, of course, opens up a very wide question; and while some Government Departments—the Post Office and the police force—do a great deal, I think the other

Departments ought to take a lesson from the great employers of labour throughout the country—from the railway companies, the London County Council, the Fire Brigade, and other bodies—and endeavour to give a preference to ex-soldiers in any employment at their disposal.

The last division relates to the point to which my noble friend below me has called your Lordships' attention—namely, the means there are of employing soldiers who are now serving in the ranks. My noble friend must make a distinction in this matter. The Royal Engineers are themselves skilled artisans when they enlist, or they become so during their service. Then there come the Cavalry and Artillery. I believe that in the case of both of these the men, having to look after their guns and horses as well as their equipment, would not have time to learn a trade. But that is not so in the case of the Infantry. The infantryman, as opposed to the cavalryman and artilleryman, has the whole of his afternoon to himself, and the opportunity of that leisure should be taken to teach him some useful trade. Every battalion has a tailors' shop, a shoemakers' shop, and a cooks' shop, and in each of these there are about eight men per company regularly employed. But there is no reason why, instead of eight, there should not be eighty. I mention this because great stress in the Report is laid on the value of men being able to cook and to act as tailors and shoemakers. Painting, glazing, and gardening could also be readily taught; and there is a recommendation in the Report to the effect that on the large stations you ought to be able to provide motor cars and teach the men at small expense the machinery and the mode of driving. This recommendation is a valuable one in view of the spread of the automobile industry in these days. This matters less to cavalrymen, because, when he retires from service, he generally becomes a groom or stableman, or is in some way connected with the saddlery trade for which he is equipped by his experience in the Army.

The other great recommendation in this Report is that Reserve men should be encouraged to emigrate. Your Lordships passed a very valuable measure last session in the Reserve Forces Act. By that Act every man who goes out to a foreign country as a Reserve man can be called upon in time of war, and it is to their great credit that the Reserve men who were in the Colonies did not shirk their duty during the South African war, but came up when called upon. Men ought to be assisted to emigrate and if they were taught a trade the necessary £10 could be advanced to them and could be secured on their pay. We ought to devote some attention to the establishment of carpenter's shops in all battalions, for nothing is more likely to be useful to the soldier in after life than a knowledge of carpentry, joinery, and turnery. I hope my noble friend will take this matter into consideration, and see whether without great expense carpenter's shops could not be established in all battalions of infantry.

There is another point which certainly ought to be considered by the authorities. The police force have regulations which almost preclude ex-soldiers from joining at all, because they do not take men after the age of twenty-five. Why should not the term for military men, in the case of the Metropolitan and City police, be enlarged as in the case of the Scottish police? The Scottish police will take men up to thirty, and I think if the age limit in connection with the Metropolitan police was increased to thirty or thirty-two years a large number of useful recruits would be forthcoming. I gladly support my noble friend, and I hope that steps will be taken to carry the recommendations of the Committee into effect.

THE EARL OF GALLOWAY: My Lords, I quite concur with what has been said by my noble friend Lord Monkswell, but at the same time I cannot agree with the suggestion that general officers are reluctant to promote this movement. I remember perfectly well that when I was in the Quartermaster-General's Department in India forty-five years ago workshops were established by the then Commander-in-Chief, Lord Strathnairn, and were found to be of great use. I do not see why this training should not be utilised when the men return to this country. I trust, however, that if it is carried out the code of honour which existed in those days will not obtain now. It was a sort of code of honour then amongst the soldiers that whatever was earned in the workshop was to be spent in the canteen. At the present time the Army is much less given to liquor than it was in those days, and therefore this is not very likely to happen now. I think it is the duty of all to do everything possible for the soldier; and with reference to the noble Lord's remarks about conscription I wish to say that I am not an advocate of conscription, but I hold that the first duty of every man is to his country.

THE EARL OF HALSBURY: My Lords, with reference to what the noble Lord who raised this question to-day said about the reluctance to appoint ex-soldiers to subordinate appointments, I think it right to mention that during the period I filled the place now occupied by my noble and learned friend on the Woolsack 90 per cent. of the appointments to subordinate positions in the Law Courts were given to old soldiers.

THE EARL OF GLASGOW: My Lords, I was not aware that this matter was to be discussed to-day, but as I take a great interest in the question I hope your Lordships will allow me to say a few words upon it. The noble Lord who initiated this debate will, I think, find that since the publication of the Report of Sir Edward Ward's Committee there has been a great deal more interest taken in the question than formerly. I think the Report is most interesting reading, and for my part I agreed with every word which the noble Lord said on the subject. Perhaps your Lordships will allow me to refer to the recommendation of the Committee that a central bureau should be established which should be in touch with both the Army and Navy. The Navy is represented, so far as looking after the interests of retired sailors is concerned, only by the Navy Employment Agency, which has done most admirable work for many years past and has achieved that work at a very small expenditure. I think it was recommended by the Committee that a sum of £14,000 should be apportioned between the Army and Navy, £10,000 for the Army and £4,000 for the Navy. I do not believe the Navy Employment Agency want so much. I submit that the circumstances of the two services are different. The work which is suitable for the soldier and the sailor is different, too, and therefore I suggest that it would be better in the interests of the naval service that it should have a separate bureau. I support as strongly as I can the policy recommended by the noble Lord who has introduced this subject to your Lordships' notice this afternoon.

THE UNDER-SECRETARY OF STATE FOR WAR (The Earl of PORTSMOUTH): My Lords, I am sure, speaking on behalf of the War Office, that we are very glad that this debate has taken place. I think my noble friend Lord Haversham, though he was stating what was perfectly accurate, was a little unfair when he made a comparison between this country and foreign countries, because conscription, which we consider unsuitable to this country, makes it very much easier for the military authorities abroad to deal with this question. This is certainly a very difficult matter, and I do not think it would be wise to use in reference to it, particularly in regard to private soldiers, the language of compulsion. I will come to that later. I think my best course will be to first explain to your Lordships what the War Office have already done.

We have not allowed the very interesting Report of Sir E. Ward's Committee to remain in the pigeon-hole, but have, so far as time permitted, taken the most practical steps to give effect to its recommendations. I should like to make some reference, at the outset, to an interesting article on the employment of ex-soldiers in the *Morning Post*, a newspaper of great authority, weight, and reputation on military matters, in which it was stated that—

> "A beginning having been made after much agitation and protracted delays to employ ex-soldier clerks in Record and other Staff offices, the whole scheme is threatened by the new proposal to establish a special corps of clerks for the General Staff, who will supersede the ex-soldier clerks."

On reading that statement I made careful inquiries at the War Office, as the result of which I found that the proposal to establish a special corps of clerks for the General Staff is, at present, in abeyance, but even if such a corps were established, its employment would be restricted to the General Staff offices, and it would not, therefore, interfere with the present scheme of appointing ex-soldier clerks to Record and other military offices. Practically all the clerks to the General Staff at present are not ex-soldiers, but serving soldiers, and the proposed corps of clerks would be selected from serving soldiers. The creation of this corps would, therefore, be a thing apart, and could scarcely have any effect upon the employment of ex-soldiers as clerks in other Army offices.

In answer to the Questions put to me by Lord Monkswell, I may state that a circular letter has been sent from the War Office to general officers commanding at home and abroad, pointing out the great necessity of taking such action as would ensure the technical training of soldiers during colour service. In this letter the difficulties that have hampered previous efforts in this direction are carefully gone through in order to show the general officers commanding what they have to avoid in future.

From time to time attempts have been made to give some kind of technical instruction to soldiers, but hitherto, I am sorry to say, without any marked success. This lack of success seems to have arisen from various causes. In the first place, the trade selected has frequently been one which required an apprenticeship, and it was therefore unsuited to the serving soldier, whose military career is in itself a long apprenticeship to the business of a soldier. Secondly, the selection of a special trade has been rather haphazard, and in many cases there has been an erroneous selection of the special trades. Officers commanding have been instructed that in regard to this matter the laws of supply and demand must be carefully and constantly studied, and that the soldiers ought to be instructed in those trades for which the circumstances of the time supply the largest openings.

During service with the colours the soldier, as a rule, thinks but little of his future career, and hitherto steps have not been taken to turn his mind towards it, or to stimulate him to efforts for self-improvement by bringing to his notice the employments open to the well-behaved and well-educated man who has prepared himself for them by good conduct and education. Therefore, in the circular letter the general officers commanding are asked to co-operate as fully as is possible in an experiment which is fully described in it. In the first place, it is pointed out that every effort should be made to interest the men in their future prospects. They should be warned that service in the Army is not a guarantee of civil employment, and that on completion of their term of service they will have to shift for themselves. We have asked that they shall be told that the agencies for the employment of ex-soldiers have to deal with so many cases of men with no special qualifications that they cannot find employment for all even of those who have good characters. In short, that everything should be done to make them realise the difficulties which they will have to face, and to render them willing to sacrifice the time and money required for learning a technical trade.

The circular letter goes on to say that the various trades should meanwhile be considered in detail, and it should be ascertained to what extent and at what cost instruction in each could be provided in the particular command. We have suggested that the preliminary arrangements might best be carried out by a committee of officers interested in the subject of technical education in each command, who would not only suggest methods of instruction, but get into touch with the technical institutes of the various cities and towns where soldiers were quartered. The information obtained and the arrangements made in this way would be communicated to the men, who would be given the opportunity of attending a course of instruction in any available trade which they selected. On completion of the course a certificate would be given in each man showing the degree of proficiency he had attained. We have also impressed upon the proposed committee of each command that no trade should be included in the list unless it were such a trade as could be conveniently and profitably taught in the particular district, and that the instruction in any particular trade should be given only to such a number of men as would be likely to find employment in it. We have gone on to say that as far as possible the technical training should be given to any man who might desire it, but preference should be given to men in their last two years of the colour service. The training should not be confined to men who had borne good characters, but on the contrary it should be made known generally that the course was open, as far as possible, to all men willing and able to avail themselves of it. We propose to make some contribution towards the initial cost. The amount and character of the contribution are at present under consideration. It is our intention that the men themselves should bear a portion of the expenses of their own training, their contribution varying according to the trade selected, which it is hoped will prevent men taking up the course lightheartedly, and throwing it over before they have obtained enough knowledge to give them any material benefit, a danger which previous experiments have shown to be serious.

I do not wish to press unduly any comparison between the Army and Navy, because in the Navy there are practically no short service men, but experiments for the same object on a smaller scale are being made for the benefit of naval men at more than one station. These experiments have received no financial aid from the Government, but they are so far meeting with considerable success. For instance, there is a school of instruction at the Royal Marine Artillery barracks at Eastney, at which instruction is given in bootmaking and repairs, painting and glazing, general blacksmith's work, motoring, and electric wiring. We have further decided to appoint a standing committee of the War Office, with Sir E. Ward as chairman, to advise from time to time on the general question, and to assist the committees which it is proposed to form in the various commands with such information as they might require. Part of the functions of this committee at headquarters will be to keep in touch with outside civilian committees which have kindred objects in view.

*THE EARL OF DONOUGHMORE: Are there to be any outside members?

THE EARL OF PORTSMOUTH: No, they are all members of the War Office. What I had in my mind when I spoke of outside committees was the committee which has been formed by the Automobile Club with a view to helping forward the training and employment of ex-soldiers for motor work. The circular letter referred to is the only document relating to the question, apart from the Report of the Committee which has been presented to Parliament, and this I shall be very glad to let the noble Lord have in full.

LORD MONKSWELL: Will it be published as a Parliamentary document?

THE EARL OF PORTSMOUTH: We did not intend to publish it, but I shall be quite willing to let the noble Lord have it.

LORD MONKSWELL: I think it would be a good thing if it were published as a Parliamentary Paper.

THE EARL OF PORTSMOUTH: We have no objection.

*THE EARL OF DONOUGHMORE: My Lords, I think it is clear, from the interesting statement of the noble Earl the Under-Secretary of State for War, that His Majesty's Government have seriously taken up this question. One cannot help reflecting, in reading this Report, upon the fact that had the recommendations of previous Committees been carried out we should not be in the unsatisfactory position we are to-day; and I sincerely hope that the efforts which His Majesty's Government are now initiating will bear considerably more fruit than has been yielded by past efforts in the same direction. As regards Government Departments, some of them, as the noble and learned Lord the late Lord Chancellor has shown, have been of very great assistance to the War Office in this matter, but others have not been so anxious to help. I hope that the continual worrying which I know was applied to them in my time at the War Office, and which it is evident will be continued, will bear better fruit as the time goes on.

I welcome the statement of the noble Earl the Under-Secretary that replies have been received from general officers commanding favourable to some such experiment as that which we are now concerned with. My experience in this matter has been certainly in the direction of that of the noble Lord who initiated this discussion. I am not now talking politics, but my experience at the War Office has been that in many matters soldiers display a Toryism which is entirely out of date in politics now-a-days, and it is exceedingly difficult to get them to take up new things. They are very suspicious of innovations, and certainly the impression left on my mind was that the commanding officer, not from love of conscription, but really from the fact that he did not at once see clearly how he was going to find time for these experiments, was not favourable to a system such as that outlined by the noble Earl.

I have taken considerable comfort from what the noble Earl has told us this afternoon, and especially from the statement contained in the Report to the effect that many large employers of labour are well satisfied with the ex-soldier and in some cases prefer him to the ordinary civilian for certain employment. There is no doubt that a great obstacle in the way of ex-soldiers obtaining employment lies in the suspicion which many civilians have of military characters. They do not understand the parchment which the soldier produces, and they do not always find that it truly reflects the character of the man. A case—I sincerely hope it was an exceptional case—came to my personal notice. It was that of a man who returned from India, after seventeen years service, with most exemplary characters. I remember the words of one of them—

> "I recommend this man for a position of trust."

He was designated as a sober, honest man, and in every way fitted for an important position such as a clerkship. I was perfectly delighted with this character and sent it off to an official at the head of another Department and asked him to find the man employment. My friend went through the defaulters' sheet and found that this man had been twice sent to jail for stealing his companions' property and that he had been several times drunk. Can your Lordships believe that two of the characters which that man brought in his hand to me were signed by the very officers who had signed the defaulters' sheet? I am sure these officers had no intention to deceive. Their feeling was a benevolent feeling. They no doubt said to themselves, "Oh, let us give the poor chap a chance when he returns to civil life." Yet this man might have been placed in a position of trust and might have let down his employer very considerably, with the result that there would be a black mark against all ex-soldiers in that man's mind for the rest of his life. I am glad to see in the appendix to this Report a very much fuller form of character suggested. I welcome this, and I am sure the noble Earl's efforts will be in the direction of making it a real and valuable character. I hope he will use his influence on his friends at the War Office to see that these characters are really accurate, and are not simply, so to speak, tickets which it is hoped will be valuable for future employment. No greater service could be done to the Army than to get it into the public mind that the characters with which the men are furnished can be absolutely relied upon. I would again thank the noble Earl for the very full reply he has given, and I sincerely hope that nothing but good may result from the efforts that he and his colleagues are making upon this subject.

THE FIRST LORD OF THE ADMIRALTY (Lord TWEEDMOUTH): My Lords, I think it is only right that I should state what the view of the Admiralty is with regard to the interesting subject to which my noble friend Lord Monkswell has called attention. We are very sensible of the services which my noble friend has rendered to this particular cause, and we entirely sympathise with all that has been said as to the desirability of finding employment for old soldiers and sailors. We do not think at the Admiralty that it is desirable to join in an amalgamation of societies for the benefit of old soldiers and sailors, because the case of the old sailor is very different from that of the old soldier. The long service of the sailor and his particular form of employment make him almost necessarily a mechanic or artificer, so that it is much easier for him to find employment in civil life than the ordinary soldier. I would like to utter a word of caution with regard to what my noble friend Lord Portsmouth said about the length of service of sailors. Under our new system the number of short-service men is being undoubtedly increased. Men who serve a comparatively short time are continued in what is known as the Royal Fleet Reserve, and care is taken that great attention should be paid to the finding of employment for the men in that Reserve. There are several associations which devote themselves to this object. Besides the Navy Employment Society, to which my noble friend Lord Glasgow referred, there is the Marine Society, presided over by the Earl of Romney, which does a great deal of good work in finding employment in the mercantile marine for sailors who have left the Navy. Then I think sufficient notice has not been taken of how much has been done by officers of the Royal Navy and Marines in the way of encouraging motor schools at Eastney, on Whale Island, and at the Naval Barracks at Portsmouth, where men about to take their discharges obtain instruction in motor driving and all the working of motor cars. This experiment has been attended by very great success, and some of the men trained in these schools have got very good places with private employers. I consider that the greatest credit is due to the officers who, with the assistance of their friends, have started the schools. We are, of course, very anxious to co-operate with the sister service in finding employment, but we do not think it is desirable, either from the point of view of the Army or of the Navy, to amalgamate all the associations, owing to the great differences between the two classes of men.

LORD MONKSWELL: My Lords, I am extremely well satisfied with this debate. It is the first time that any noble Lord has risen in his place to say one single word in favour of my suggestions, and I am glad to find that no less than seven noble Lords on this occasion have supported me besides the noble Earl. I am extremely obliged to my noble friend the First Lord of the Admiralty for his support on this occasion, but I should have been more pleased if he had said one single word on behalf of this reform during the time he sat on the Front Opposition Bench. I have been accused of exaggeration in saying that commanding officers are in favour of conscription. I am very much afraid that a good many of them are. At the same time I am delighted to find that Lord Cheylesmore and Lord Galloway hold the opposite view, and I hope I have exaggerated the importance that is attached to conscription by the great majority of officers. It is true, however, that when I have brought these Motions forward on previous occasions the noble Marquess the Leader of the Opposition has certainly given me to understand that there was great difficulty in getting commanding officers to fall in with our views on this subject. There was one part of my noble friend Lord Portsmouth's speech which was to me disappointing. I think enormous stress ought to be laid on compulsion in this matter. The noble Earl says the War Office are not going to employ compulsion. It seems to me that that does away with a great deal of the good that might be accomplished. If you do not oblige a soldier to learn a trade idlers will continue to enter the Army just as before; but if you make the teaching of a trade compulsory you will get a better class of men in the Army, and you will keep a lot of men out who ought never to be enlisted. The noble Earl says, quite rightly, that the men ought to be made to pay a certain portion of the expenses of their teaching; but I think there ought to be certain other trades not so expensive which the men should be obliged to work in, and the whole cost of which should be borne by the country. It seems to me that there ought to be a distinction between trades in respect of which the men should have to pay and other trades. I hope the noble Earl will agree to the publication of the letter which has been issued by the War Office to the general officers commanding.

On Question, Motion agreed to, and ordered accordingly.

MARINE INSURANCE BILL [H.L.].

Order of the Day read for the consideration of the Commons Amendments.

THE EARL OF HALSBURY: My Lords, I move that your Lordships agree to all the Commons Amendments with certain exceptions standing in my name on the Paper. A great many of the Amendments inserted by the Commons are those which I should recommend your Lordships to accept, but I think the gentlemen who drafted them sometimes forgot that they should pursue the subject of their Amendments through the Bill. This they occasionally have not done, and the result is that the Bill would not be workable as it stands. We have gone through the Bill with the

Amendments and pursued those Amendments to the end so as to make them workable. I doubt whether your Lordships would gain much information if I were to read *seriatim* the Commons Amendments and the proposed Amendments to them. But they have been very carefully gone through, and my noble and learned friend on the Woolsack entirely agrees that the course proposed is the most convenient one to pursue. I cannot take leave of the subject without thanking His Majesty's Government, and especially the Lord Chancellor, for having accomplished that which I have for three years been endeavouring to do, after considerable conference with the other House and with persons interested in marine insurance. I cannot help thinking that but for the conduct of His Majesty's Government and the Lord Chancellor my three years labour in this direction might have been thrown away. I am very grateful to them, and I think the country is also indebted to Mr. Chalmers, who drafted these Amendments, and who has now accomplished, with the assistance of His Majesty's Government, what a great number of persons engaged in the mercantile marine and in marine insurance have long been anxious to effect. I am confident that the Bill will prove a good boon to both these classes.

Moved, To agree to all the Commons Amendments with the following exceptions—

Commons Amendment—

"In Clause 4, page 2, line 22, after the word 'wagering' to insert the words 'or with no expectation of acquiring such an interest.'"

Proposed Amendment—

"Agree to this Amendment with the following consequential Amendment, namely: In page 2, lines 20 and 21, to leave out the words 'by way of gaming or wagering or.'"

Commons Amendment—

"In Clause 14, pages 3 and 4, to leave out sub-sections (2) and (3)."

Proposed Amendment—

"Agree to this Amendment, with the following consequential Amendment, namely: In page 3, line 36, after the word 'mortgage' to insert as a new sub-section: '(2) A mortgagee, consignee, or other person having an interest in the subject matter insured may insure on behalf and for the benefit of other persons interested as well as for his own benefit.'"

Commons Amendments—

"In Clause 18, page 5, line 12, after the word 'him' to insert the words 'or ought to have been communicated to him by his agents.'"

"In Clause 18, page 5, line 17, after the word 'risk' to insert the words 'and in particular the fact that a policy is effected by way of re-insurance is material.'"

"In Clause 25, page 7, line 11, to leave out the word 'may' and to insert the word 'shall.'"

Disagree to these Amendments.

Commons Amendment—

"In Clause 27, page 7, line 28, after the word 'policy' to insert the words 'but when the interest is of such a kind as to affect the character of the risk, it must be stated; and in particular a loan on bottomry or respondentia is not effectually insured by a policy on ship or goods unless the nature of the interest is stated.'"

Proposed Amendment—

"Disagree to this Amendment, but in lieu thereof leave out lines 29, 30, and 31."

Commons Amendment—

"In Clause 40, page 11, line 3, to leave out from the word 'equipment' to the end of the sub-section, and to insert the words 'the warranty in respect of such preparation or equipment is satisfied if at the commencement of each stage the ship is seaworthy in respect of such preparation or equipment for the purposes of that stage.'"

Proposed Amendment—

"Amend this Amendment by leaving out the words 'the warranty in respect of such preparation or equipment is satisfied if' and insert the words 'there is an implied warranty that.'"

Commons Amendment—

"In Clause 40, page 11, line 8, after the word 'respects' to insert the words 'including manning, equipment, and stowage.'"

Disagree to this Amendment.

Commons Amendments—

"In Clause 58, page 15, line 29, to leave out the words 'irreparably damaged,' and to insert the words 'an actual total loss.'"

"In Clause 58, page 15, line 30, to leave out from the word 'specie' to the end of line 33."

Proposed Amendment—

"Disagree to these Amendments, but in lieu thereof leave out sub-section (2)."

Commons Amendment—

"In Clause 61, page 16, line 25, to leave out from the word 'repairs' to the word 'or,' in line 28, and to insert the words 'no deduction is to be made in respect of general average contributions to those repairs payable by other interests. but deduction is to be made of contributions which would be payable by other interests towards necessary future expenses.'"

Proposed Amendment—

"Amend this Amendment by leaving out from the word 'but' to end of Amendment and inserting the words 'account is to be taken of the expense of future salvage operations, and of any future general average contributions to which the ship would be liable if repaired.'"

Commons Amendment—

"In Clause 63, page 17, line 4, after the word 'abandon,' to insert the words 'the insured interest in.'"

Proposed Amendment—

"Amend this Amendment by leaving out the words 'the insured,' and inserting the word 'his.'"

Commons Amendment—

"In Clause 65, page 18, line 14, at the beginning of the line to insert the words, 'Expenses incurred by or on behalf of the assured for the safety or preservation of the ship insured other than general average and salvage charges are called particular charges."

Proposed Amendment—

"Amend this Amendment by leaving out the words 'ship,' and inserting the words 'subject-matter.'"

Commons Amendment—

"In Clause 67, page 19, line 13, at the beginning of the line to insert the words 'As between the shipowner and a shipper.'"

Proposed Amendment—

"Disagree to this Amendment, but in lieu thereof leave out sub-section (7), namely, lines 13 to 16, on page 19.

Commons Amendment—

"In Clause 67, page 19, line 18, to leave out from the first word 'assured' to the end of line 20, and to insert the words 'the rights and liabilities of the insurers in respect of general average losses are to be determined as if those subjects were owned by separate persons.'"

Proposed Amendment—

"Amend this Amendment by making it run 'the liability of the insurers in respect of general average losses or contributions are to be determined as if those subjects were owned by different persons.'"

Commons Amendment—

"In Clause 71, page 20, line 26, to leave out the word 'whole' and to insert the words 'highest amount of.'"

Disagree to this Amendment.

Commons Amendment—

"In Clause 80, page 23, line 33, after the word 'to' to insert the words 'the interests of the assured in.'"

Proposed Amendment—

"Amend this Amendment by making it run 'take over the interest of the assured in.'"

Commons Amendment—

"In Clause 85, page 25, line 31, after the word 'policy' to insert the words 'and when the double insurance is effected knowingly no premium is returnable.'"

Proposed Amendment—

"Amend this Amendment by inserting after the word 'knowingly' the words 'by the assured.'"—(*The Earl of Halsbury.*)

THE LORD CHANCELLOR (Lord LOREBURN): My Lords, I am sure it has given the Government, and certainly it has given me, great satisfaction to be of any help in passing this Bill and in rendering fruitful the great pains which the noble and learned Earl has taken for some years past to put this question of marine insurance upon a satisfactory foundation. I think I may fairly congratulate my noble and learned friend upon the success of his labours. I agree with him that the measure is a most valuable one, and I believe it will be thoroughly appreciated by the mercantile community. I also think, with my noble and learned friend, that Mr. Chalmers deserves the thanks of the community for the trouble he has taken in this matter. The Commons Amendments were considered in the other House, and being of a very highly technical nature some of them were left for the consideration of the noble and learned Earl and myself. I have considered them to the best of my ability and the noble and learned Earl has also considered them, and we have come to an agreement on these highly technical points of law. The Commons Amendments are in the main such as I think ought to be adopted, and those which are not agreed to as they stand are either those in which a consequential Amendment has not been accepted or those which require some little addition in order to work effectively. I believe the most convenient course is to accept *en bloc* the Amendments of the Commons with the qualifications and Amendments appearing on the Paper in the name of the noble and learned Earl. I believe that will be acceptable to the House of Commons, and that it will bring about this most interesting and important improvement in the law.

On Question, Motion agreed to, and a Committee appointed to prepare reasons to be offered to the Commons for disagreeing to several Commons Amendments; the Committee to meet forthwith.

MARINE INSURANCE BILL [H.L.].

Report from the Committee of the reasons prepared by them made; the same was read, and agreed to; and a message ordered to be sent to the Commons to return the said Bill with the Amendments and reasons.

UNREST IN MOROCCO.

*LORD SANDERSON: My Lords, before the House adjourns perhaps I may be allowed to ask the noble Lord the Under-Secretary of State for Foreign Affairs whether he can communicate any information respecting the attack which is reported in the Press to have been made by Moorish tribesmen on the house of a British subject in the neighbourhood of Tangier.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (LORD FITZMAURICE): My Lords, as your Lordships are aware from what has appeared in the newspapers, there unfortunately does not prevail in Morocco that condition of absolute quietude which diplomacy would desire. As to the particular incident in regard to which my noble friend has asked me a Question, I am glad to be able to give a reassuring Answer. According to the information which we have received at the Foreign Office, fighting occurred yesterday between the guards at the house of Mr. Harris, a well-known British resident, and some members of the Anjera tribe. Reinforcements arrived on both sides, and eventually the tribesmen were driven off. It does not appear from the information we have received whether the men of the tribe really intended to attack the house of Mr. Harris or whether they were on their way to raid somebody else's cattle when Mr. Harris's guard interfered in the cause of law and order. Ships of war were watching these events, which took place near the coast, and were ready to take steps to protect the house of Mr. Harris if it had been thought necessary, but I am glad to say that necessity did not arise. No further information had been received at the Foreign Office up to the time I left it this afternoon.

House adjourned at five minutes before Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS.

Wednesday, 28th November, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

MESSAGE FROM THE LORDS.

That they have agreed to, Blairgowrie, Rattray, and District Water Order Confirmation Bill; Edinburgh Corporation (Superannuation) Order Confirmation Bill, without Amendment.

Amendments to—Great Northern Railway (Ireland) Bill [Lords], without Amendment.

PETITIONS.

LOCAL GOVERNMENT ACT 1888 (POLICE ADMINISTRATION).

Petition from West Riding of Yorkshire, for alteration of Law; to lie upon the Table.

RETURNS, REPORTS, ETC.

STRAITS SETTLEMENTS.

Copy presented, of Order in Council, dated 22nd October, 1906, entitled The

Straits Settlements (Coinage) Order, 1906 [by Command]; to lie upon the Table.

CIVIL CONTINGENCIES FUND, 1905-6.

Copy ordered, "of Accounts of the Civil Contingencies Fund, 1905-6, showing (1) the receipts and payments in connection with the Fund in the year ended the 31st day of March, 1906; (2) the distribution of the capital of the Fund at the commencement and close of the year; together with Copy of the Correspondence with the Comptroller and Auditor-General thereon."—(*Mr. McKenna.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Royal Patriotic Fund.

SIR CHARLES SCHWANN (Manchester, N.): To ask the Prime Minister whether he is aware that the money subscribed by the public to the Royal Patriotic Fund (after the Crimean War and Indian Mutiny) is not being distributed in accordance with the wishes of the subscribers; that the pensions of widows are limited to 7s. a week and the remainder hoarded; and what steps he proposes to take to remedy this state of things.

(*Answered by Sir Henry Campbell-Bannerman.*) I am informed that there is no foundation of fact for the assumption of my hon. friend that the money subscribed by the public to the Patriotic Crimean War and Indian Mutiny Relief Funds is not being distributed in accordance with the wishes of the subscribers, or that the allowances to widows are limited to 7s. a week and the remainder hoarded. The administration of both funds involves a yearly expenditure far in excess of the incomes from invested funds, with the result that, so far from the funds being hoarded, they are steadily diminishing by thousands of pounds yearly. If my hon. friend will refer to the second Report of the Royal Patriotic Fund to the King, published as a Blue-Book, he will find that the expenditure of the Patriotic Russian War Fund for 1905 was £14,087, against an income of £4,607, and for the Indian Mutiny Relief Fund the expenditure was £2,429, against an income of £743. The Indian Mutiny Relief Fund, in fact, was taken over by the Patriotic Fund authorities under an Order of the Court of Chancery only as recently as 1st January, 1903, because it had become insolvent under its previous management to the extent that its assets were deficient by upwards of £11,000 to enable the beneficiaries to continue in the enjoyment of their allowances at rates then existing. I am informed that by good and more economical management the deficiency of assets has since been reduced, but that there is still a deficiency of upwards of £4,000 which may have to be made good from the general funds of the Royal Patriotic Fund Corporation. If my hon. friend will refer to paragraph 8 of the first report of the Corporation to the King he will find that the scale of allowances settled by the Corporation, after public discussion, at their annual general meeting in 1905, is considerably higher than the scale which he assumes, erroneously, is being issued to beneficiaries on funds raised by public subscription under the administration of the Corporation. I may add that if my hon. friend will refer to paragraph 9 of the second and latest Report of the Corporation he will find that, taking all the funds administered by the Corporation, the aggregate expenditure for 1905 was £72,394, against an aggregate income on all funds of £43,130. Therefore it follows that there is no policy of hoarding on the part of the Corporation in respect of any of their funds.

Royal Engineers in the Post Office.

SIR G. KEKEWICH (Exeter): To ask the Postmaster-General whether Royal Engineers are employed at postal telegraph offices in Southampton, Bristol, Exeter, and Plymouth, receiving emoluments consisting partly of military pay and partly of wages from the Post Office; whether they are compelled to perform overtime and Sunday duty; whether the payment for these extra duties is based not on their total pay but on a scale only slightly above their Post Office wages; and whether this practice will be abandoned as soon as possible.

(*Answered by Mr. Sydney Buxton.*) The pay of the Royal Engineers employed at the post offices named consists partly of military pay and partly of wages from the Post Office. When necessary, they are, like ordinary sorting clerks and telegraphists, liable to be called on to perform overtime and Sunday duty; and when this occurs their Post Office wages are increased in the usual manner. I have no power to increase their Army pay.

Telegraph Business at Halifax.

Mr. PARKER (Halifax): To ask the Postmaster-General whether he is aware that during the past twelve months the telegraph transactions at Halifax numbered 496,433, while the figures for the twelve months ending September, 1905, were 467,056, and that notwithstanding the increase of work the number of operators have been reduced; whether, as a direct result of the decrease, the delay in telegraphic traffic has increased; and whether he will explain why expert operators are removed from telegraphic duties and forced to perform letter sorting at a time when telegraph work is increasing and the delay accruing is of disadvantage to the business of the town.

(*Answered by Mr. Sydney Buxton.*) Although there has been an increase in the total number of telegraph transactions at Halifax, the ordinary telegraph work there has decreased. The increase in the total is owing to heavy press work on one or two special occasions, which of course would not effect the determination of the normal force of the office. An officer from headquarters reported to me only this month that generally the telegraph working was very satisfactory, and I am assured also that there is no undue delay. There certainly has been no increased delay. As I promised the hon. Member on the 26th ult.,† I have had inquiry made as regards sorting work done by certain telegraphists, and I am writing to him on the subject.

Clerk to the Scottish Inspector of Taxes.

Mr. SLOAN (Belfast, S.): To ask the Secretary to the Treasury whether he will now state the total service of the clerk to the inspector of taxes in Scotland; is he aware that such clerk was only in receipt of 20s. wages weekly up to his thirty-first year of service; what was the basis on which the gratuity of £78 was computed; and will he state what pension such clerk would have received had his position been an established one.

(*Answered by Mr. McKenna.*) I think the hon. Member will find a reply to the points he now raises in the Answer which I gave to him on the 13th instant.‡ I notice that in the Question 20s. is a misprint for 30s.

Clerks and Surveyors of Taxes.

Mr. SLOAN: To ask the Secretary to the Treasury whether, in view of the fact that the Department requires clerks to surveyors of taxes to retire on attaining the age of sixty-two years, he will state if he is aware that such rule is not known to the clerks; whether he will explain why the clerks have not been informed of such intended future action; will he state if clerks forced to retire on on attaining the age of sixty-two years are to receive any gratuity after long and faithful service in the department.

(*Answered by Mr. McKenna.*) The services of the clerks in question can be dispensed with at any time at a week's notice, and no guarantee of employment till the age of sixty-two can be given or implied. It is, therefore, unnecessary to give any such notice as the hon. Member suggests. The clerks are not entitled to any gratuity on retirement, but it is usual in deserving cases to make compassionate grants.

Convocations of Canterbury and York.

Mr. PAUL (Northampton): To ask the Secretary of State for the Home Department when he proposes to comply with the Order of the House dated the 24th of October last by laying upon the Table the letters of business addressed to the Convocations of Canterbury and York; when these letters were actually issued; and what has been the cause of the delay in presenting them.

(*Answered by Mr. Secretary Gladstone.*) The letters of business were not issued until the 10th instant. The papers are now in the printer's hands, and will be ready shortly. I will lay Copies upon the Table in manuscript to-morrow. There has been no special reason for delay, but the heavy pressure of work of all kinds has prevented earlier publication.

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† See (4) *Debates*, clxiii., 669.

‡ See (4) *Debates*, clxiv., 1268.

Obsolete Torpedo Boats.

MR. NIELD (Middlesex, Ealing). To ask the Secretary to the Admiralty whether he is aware that torpedo boats Nos. 65 to 73, which are twenty years old, are referred to in certain standard naval works as being of no fighting value; and whether the Admiralty will consider the advisability of removing them from the list.

(*Answered by Mr. Edmund Robertson.*) It is not proposed to remove these vessels from the list so long as they are suitable for performing the duties they would be required to undertake in war.

Flogging in Prisons.

MR. BYLES (Salford, N.): To ask the Secretary of State for the Home Department, are there any Returns showing the extent to which the practice of flogging prevails in His Majesty's prisons and reformatories; and would legislation be necessary to put an end to this form of punishment.

(*Answered by Mr. Secretary Gladstone.*) Full particulars of all cases of corporal punishment in prisons are given in the Annual Report of the Prison Commissioners. There is no corporal punishment in inebriate reformatories, and in juvenile reformatories only moderate chastisement with the birch rod is allowed. Corporal punishment in prisons is expressly authorised by an Act of Parliament, which could only be repealed by legislation.

Release of Women Suffragists.

MR. CLYNES (Manchester, N.E.): To ask the Secretary of State for the Home Department whether the ladies who were liberated from Holloway Goal on Saturday were liberated because their sentences were excessive; and, if not, whether he will explain why the period of imprisonment was terminated by an order before their term expired.

(*Answered by Mr. Secretary Gladstone.*) The prisoners were liberated, when they had served half their sentences, by an exercise of the royal prerogative of mercy. It would not be in accordance with constitutional practice to state the grounds of the advice which I tendered to His Majesty.

Whitburn Beach.

MR. SUMMERBELL (Sunderland): To ask the Secretary to the Treasury if he will state the nature of the Report of the official sent down to examine into the condition of the beach between Sunderland and Whitburn, and also the result of the negotiations between his department and the collieries concerned in the tipping of the refuse upon the said beach.

(*Answered by Mr. McKenna.*) No actual Report has been made on the condition of the shore at Whitburn, but a personal inspection of it was made by the Commissioner of Woods having charge of it. As the result of his communication with the colliery company, they have undertaken to put an end to the tipping on the shore as soon as practicable, but to do this may necessitate the acquisition of additional land for tipping and the rearrangement of the railway access to the tipping area. It is therefore not practicable to stop the tipping on the shore immediately without seriously interfering with the working of the colliery, which is an extensive undertaking and gives employment to a large number of men.

Local Taxation (Ireland) Account.

MR. COGAN (Wicklow, E.): To ask the Secretary to the Treasury whether he is aware that the Local Taxation (Ireland) Account is a practically inexpansive fund, and that, on the contrary, the charges upon that fund have expanded during the past six years, and that they are likely to show further increases; and, if so, whether he will seek to amend The Superannuation Act, 1887, so that the sums equivalent to the capitation grant deducted from the pensions of asylum inmates now paid into the Exchequer will in future be placed to the credit of the Irish Local Taxation Account.

(*Answered by Mr. McKenna.*) The total amount at stake is small, and I do not think it desirable to propose legislation for the purpose of making the law on this subject in Ireland different from the law in England.

The Disturbances at Portsmouth.

MR. LEA (St. Pancras, E.): To ask the Secretary to the Admiralty whether he will state what action he proposes to take in connection with the sentence of five years penal servitude inflicted by a court martial upon Stoker Moodie at Portsmouth on the 26th instant; whether he can state why Lieutenant Collard was permitted to decline to give evidence in this case when examined by the prisoner; what action he proposes to take in connection with the allegation that Lieutenant Collard on one occasion addressed a stoker with the words, "Down on the knee, you dog"; whether the order, "Down on the knee," is a proper order to be addressed to any man or boy in the Navy; and, if not, will he abolish it at once.

(*Answered by Mr. Edmund Robertson.*) In answer to the first Question on the Paper, the proceedings of a court martial, as I have repeatedly stated, are subject to review by the Judge-Advocate of the Fleet, and the sentence may be modified, suspended, or annulled by the Board of Admiralty. As to the rest of the Question, I can only repeat what I have already said, that, until judicial proceedings are exhausted, no statement can be made by which they might be prejudiced; and that, on the conclusion of these proceedings, an Admiralty Minute will be promulgated giving the decision of the Board in regard to the conduct of all concerned and the questions arising thereon.

Lieutenant Collard.

MR. DALZIEL (Kirkcaldy Burghs): To ask the Secretary to the Admiralty what is the constitution of the Court that is to inquire into the conduct of Lieutenant Collard in connection with the recent order to stokers at Portsmouth; when will it begin its inquiry; and will the proceedings be of a public character.

(*Answered by Mr. Edmund Robertson.*) Lieutenant Collard's action on 4th November was within the scope of the first Court of Inquiry held to investigate the occurrences on that date. A second Court of Inquiry, composed of two post captains, has already examined and reported on the allegation against Lieutenant Collard in respect of 24th November, 1905. In accordance with the invariable custom of the service the proceedings at the Court of Inquiry are confidential.

St. David's School, Merthyr Tydvil.

MR. D. A. THOMAS (Merthyr Tydvil): To ask the President of the Board of Education whether there are foundation managers for St. David's national schools, Merthyr Tydvil, in accordance with the provisions of The Education Act, 1902; if so, have they held meetings within the last nine months; is there a playground attached to the school, and in what condition is it kept; and will he make inquiry respecting the management and condition of the schools.

(*Answered by Mr. Birrell.*) The girls' and infants' departments of this school are condemned, and will, I think, certainly be closed at the end of the year. The question of the alterations and repairs necessary to render the premises (including the playground) of the boys' department satisfactory is still under discussion; until this is settled, which I hope it will be shortly, I do not think it is necessary to inquire into irregularities of management, which are alleged. I may, however, say that the Board understand that foundation managers have been appointed.

Kew Gardens—Discharge of Gardeners.

MR. SUMMERBELL: To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if a number of gardeners employed at Kew Gardens have received notices of discharge; and, if so, would he state the number of men involved and the reason for such discharges.

(*Answered by Sir Edward Strachey.*) The young gardeners at Kew, viz., those below the grade of sub-foremen, are usually employed for about two years, during which period they are afforded opportunities of working in different departments and of attending the various classes provided for their instruction. No notices of discharge have been given, but in conformity with the rule to which I have referred, the young gardeners who have completed two years' service will leave next month.

War Office Land at Pewsey.

MR. ROGERS (Wiltshire, Devizes): To ask the Secretary of State for War in reference to the rates paid on War Office land in the Pewsey Union, whether he is aware that this land is let to farming tenants subject to a right of user for military purposes; that notice has been given to the Pewsey Union Assessment Committee that the War Office do not intend to continue the contribution hitherto made in lieu of rates in respect of this military user to the overseers of the parishes affected after 31st March 1907; whether, seeing that the effect of this decision will be to compel the assessment committee to rate the occupying farm tenants at a figure exceeding the agricultural value of their holdings by the value of the right of user reserved for military purposes and far in excess of the rent paid by them, and in view of the discontent that will be caused, inasmuch as it will throw upon the tenants new liability, and in view of the fact that such liability was not taken into consideration when the rents were fixed, he will make an abatement to the occupying tenants on their rent of an amount equivalent to the sums hitherto paid by the War Office in lieu of rates in respect of right of user, in order to compensate the tenants for their extra liability.

(*Answered by Mr. Secretary Haldane.*) I am aware that the contribution in question has been withdrawn by the Treasury (not the War Department). As regards the latter part of the Question, I am not in a position to say what action will be taken. If the contingency arises the matter will receive consideration.

Whitley Camp Buildings.

MR. SUMMERBELL: To ask the Secretary of State for War if he is aware that a contract, dated 10th January, 1899, between the officer commanding the 5/68th Regimental District and Mr. W. Key was entered into to the effect that Mr. W. Key, of Sunderland, having purchased the wooden buildings on the camping ground at Whitley which were used as a temporary church, store, sergeants' mess, canteens, etc., for the sum of £300, it was agreed to pay him the sum of £6 6s. per annum as rental for such buildings, and, further, that the military authorities should keep the building in a good state of repair, Mr. Key having now the sole right of supplying malt liquors at contract prices to the 5/68th Regimental District; will he say whether such purchase was made and a sum of only £12 12s. paid (two years' rent), the contract being cancelled without any further payment being made to Mr. Key; and, if so, what action he is taking in the matter with a view to a settlement of the same.

(*Answered by Mr. Secretary Haldane.*) This matter is now being investigated.

Ammunition Trains.

VISCOUNT TURNOUR (Sussex, Horsham): To ask the Secretary of State for War whether field officers are required to command units of ammunition columns and field parks in time of war; and, if not, what employment will be found in war time for field officers of Militia garrrison companies which have been converted into ammunition train, in accordance with the new scheme for the formation of an expeditionary force.

(*Answered by Mr. Secretary Haldane.*) I can only repeat the reply given to the hon. and gallant Member for the Widnes Division of South-West Lancaster in July last,† viz. that this and other questions affecting the Militia artillery are receiving consideration.

Cavalry Regiment in Scotland.

MR. YOUNGER (Ayr Burghs): To ask the Secretary of State for War whether, in view of the fact that during the past ten years the sum of £9,160,663 has been spent on barracks in England, £1,990,903 in Ireland, and only £242,124 in Scotland, he will reconsider his decision not to provide in next year's Estimates for the proper accommodation of at least one cavalry regiment in Scotland.

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† See (4) *Debates*, clxi., 175.

(*Answered by Mr. Secretary Haldane.*) I cannot prejudge a Question which belongs to next year's Estimates, and the Answer to which may have to be determined by considerations of urgency as regards services to be provided for.

Canteen and Mess Co-operative Society.

MR. LEA: To ask the Secretary of State for War whether he is aware that on the occasion of Sir Leslie Rundle's order to the Northern Command with regard to the Canteen and Mess Co-operative Society being revoked by the War Office authorities, travellers and servants of this society were acquainting officers in the command of the action the War Office had adopted two days before this was communicated to General Rundle; and what steps he proposes to take in the matter.

(*Answered by Mr. Secretary Haldane.*) The Army Council have expressed their regret to General Rundle that the notification of the action to be taken in reference to the order in question accidentally reached the Canteen and Mess Co-operative Society before the official letter to the Northern Command was actually dispatched.

MR. LEA: To ask the Secretary of State for War for what reason the War Office authorities made the General Commanding-in-Chief in the Northern Command withdraw an order, in accordance with regulations, which he gave in August last, as to units in his command not dealing with the Canteen and Mess Co-operative Society; whether he is aware that this society is not a co-operative society in the true sense of the word, that it has been formed by Army officers, amongst whom Sir Edward Ward, the present Permanent Under-Secretary of State for War, took a prominent part, and that it is now being run by Army officers on full pay; and whether he will consider, having regard to the benefit of the soldier and the advantage of the taxpayer, the advisability of preventing Army officers from using their influence in competing in business with ordinary mercantile firms for the supplies to military canteens and coffee shops.

(*Answered by Mr. Secretary Haldane.*) The order of the General Officer Commanding-in-Chief, Northern Command, was issued on the assumption that the operations of the Canteen and Mess Co-operative Society were not carried on in accordance with the conditions under which the society professed to transact business. Though one legal opinion favoured that assumption, two others held a contrary view. It was consequently decided to refer the matter for further legal opinion. Meanwhile, pending the receipt of advice of counsel, the General Officer Commanding-in-Chief was directed to withdraw the order, as it was manifestly unjust to prejudge the case by prohibiting the troops from dealing with the society. Moreover, the order was not in agreement with the spirit of the regulations, which allows officers commanding units to conduct their canteens in the manner they consider most advantageous to the soldier. It appears from the rules of the society that it is a co-operative society, registered under the Industrial and Provident Societies Act, and is a member of the Co-operative Union. Sir Edward Ward was until 1899 on the committee of management, but neither now nor at any time has he had any pecuniary interest in this society. The committee of management consists of twenty-four members, of whom fifteen are on the active list, but they receive no remuneration for their work, and none of those on the active list holds any shares in the society. The constitution and operations of the society do not appear to be such as to be detrimental either to the soldier or to the taxpayer. The settled policy is to leave the soldier free to derive the same benefits from co-operative methods as are enjoyed by civilians.

Military v. Civilian Musicians.

MR. O'GRADY (Leeds, E.): To ask the Secretary of State for War whether he is aware that a large number of professional civilian musicians are out of employment as a result of the competition of military bandsmen; whether he is aware that, in London alone, 400 civilian musicians are thus deprived of earning a livelihood; and, having regard to the fact that no other branch of the service is permitted to neglect their military duties to enter into competition with civilian ratepayers, and in view of the hardship arising from these circumstances, whether he will issue an order that the regulations respecting military duties shall apply equally to bandsmen as to other parts of the service.

(*Answered by Mr. Secretary Haldane.*) I have no means of testing the accuracy of the figures mentioned in the Question, but, as I explained on the 14th June last in answer to a Question put by the hon. Member for South Belfast,† the existing rules have been devised to prevent unfair competition, and I do not propose to make any change in them.

Cumberland Militia.

MR. FIENNES (Oxfordshire, Banbury): To ask the Secretary of State for War if he will state the number of officers and men in the 3rd Border (Cumberland) Militia, and the number of officers and men in the 4th Border (Cumberland) Militia; and what is the strength of the permanent staff kept up for these two battalions.

(*Answered by Mr. Secretary Haldane.*) The numbers are as follows:—3rd Border Regiment: Officers, 8; Non-Commissioned Officers and men, 432; total, 440 (excluding permanent staff); 4th Border Regiment, Officers 10; Non-Commissioned Officers and men 209; total 219 (excluding permanent staff). Permanent Staff, 3rd Border Regiment, Officers and men 22; 4th Border Regiment, Officers and men 23.

Reinstatement of Evicted Holdings.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many evicted tenants have been restored to their former holdings, or have had new holdings allotted to them by the Estates Commissioners; in how many cases have holdings so restored or allotted been sold by the persons to whom they were restored or allotted before or very shortly after they got possession; in any such cases have grants of public money been made to enable the evicted tenant to stock the land or rebuild; and who will be liable to repay such advances, the vendor or the purchaser, and how are such advances, if at all, secured.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the number of evicted tenants whom they had reinstated or provided with new holdings up to 31st October, 1906, is 161. The Commissioners have no information as to the number of cases in which the holdings have been sold since the purchasers got possession. In any case in which an advance is made for the improvement of a holding, by building or otherwise, the amount of such advance is repaid by the purchase annuity. In any case in which a grant is made for the purchase of stock or other similar object the amount of the grant is made a charge on the holding in the event of the purchaser disposing of such holding within a period of five years.

Listowel Sitting of the Land Commission.

MR. FLAVIN (Kerry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number of applicants awaiting to have fair rent cases heard before the Land Commission at Listowel; and whether he can state when the Land Commission propose to hold their next sitting at Listowel.

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† See (4) *Debates*, clviii., 1119.

(*Answered by Mr. Bryce.*) The Land Commission inform me that there are but six applications to fix fair rents from the rural district of Listowel that have not yet been listed for hearing, and in these cases the originating notices were all received since the 1st of July last. The date of the next Sub-Commission sitting for the disposal of these cases has not yet been arranged, but the cases will probably be listed for hearing early next year.

Listowel Gun Licence.

MR. FLAVIN: To ask the Chief Secretary the Lord-Lieutenant of Ireland whether he can state if Mr. Michael Cronin, of Finuge, Listowel, has applied for a gun licence; and, if so, whether the licence to carry arms will be granted.

(*Answered by Mr. Bryce.*) I am informed that Mr. Cronin has applied for a licence to keep a gun, and that the resident magistrate of the district, in the exercise of his discretion, has refused the application.

Spitzbergen Mining Rights.

MR. J. D. WHITE (Dumbartonshire): To ask the Secretary of State for Foreign Affairs what are the international arrangements, if any, with reference to Spitzbergen; what is the nature of the titles under which companies formed for mining and other purposes hold concessions of territory there; and what is the nature and extent of these concessions.

(*Answered by Secretary Sir Edward Grey.*) Spitzbergen does not, so far as His Majesty's Government are aware, form the subject of any international arrangements, no country having asserted any rights of sovereignty over the island. His Majesty's Government have, therefore, no cognizance of any territorial concessions in Spitzbergen.

Royal Canal, Dublin.

MR. FIELD (Dublin, St. Patrick): To ask the President of the Board of Trade whether he will take steps to compel the Midland Great Western Railway to have the Broadstone (Dublin) branch of the Royal Canal properly dredged and put in proper navigable order, so that boats can discharge their full load of sand or bricks, lime, or peat, as at present only half loads can be conveyed on this section owing to the way it is being silted up; whether he is aware that this part of the canal is the most convenient part of the system for supplying the north side of Dublin with such materials; whether the Board of Control have any power to have this work carried out; and, if so, whether he will press them to discharge their duty.

(*Answered by Mr. Lloyd-George.*) The Board of Trade have no powers which would enable them to take the action suggested with regard to the railway company. The Board of Control, as the hon. Member is no doubt aware, is appointed by the Irish Government, and I have no jurisdiction over them.

African Surveys.

SIR CHARLES DILKE (Gloucestershire, Forest of Dean): To ask the Secretary to the Treasury whether any public statement has been made of the principle upon which Colonial surveys in all parts of Africa are being carried out, as reported by the Colonial Survey Committee; and whether information as to the distribution of charge between Army Votes and Crown Colonies, the Government of the Soudan, and the Egyptian Government must be sought from the Colonial Office, Foreign Office, and War Office.

(*Answered by Mr. McKenna*): No public statement has yet been made of the principle governing Colonial surveys in Africa, but it was with the intention of securing economy, system, and expedition in such undertakings that the Colonial Survey Committee, to which my right hon. friend has referred, was formed. With regard to the second part of his Question, the cost of the topographical survey of the Orange River Colony is estimated at a total of £18,500, and of this a sum of £9,000 has been paid by the Colony and the rest is defrayed from Army Votes. The reconnaissances in the Cape Colony are matters of ordinary military administration, and no charge arises. In other British African possessions where surveys are in progress, the cost is defrayed from the funds of the Colony or Protectorate concerned. In the case of the Anglo-Egyptian Soudan, the cost of the surveys is defrayed by the Soudanese Government.

Clerks to Surveyors of Taxes.

MR. SLOAN: To ask the Secretary to the Treasury whether, in view of the fact that the grounds of refusal of the Treasury to hold an inquiry into the case of the clerks to the surveyors of taxes was based on the grounds that all the facts were fully known, and that no further inquiry would affect the judgment of the Treasury officials, he is aware it is an inquiry by a Select Committee of the House of Commons that is sought by the surveyors and their clerks; and whether, as the case of such clerks is better known to the surveyors than to the Treasury officials, and that they emphasise the hardship to the public that their confidential returns and claims of repayment of income tax should be dealt with by non-civil servants, he will, in the interests of the public themselves, consider the advisability of an independent inquiry being held by a Committee of the House of Commons similar to that granted to the postal officials.

(*Answered by Mr. McKenna.*) I see no grounds for such an inquiry.

Ecclesiastical Commissioners' Property in Hereford.

MR. EDMUND LAMB (Herefordshire, Leominster): To ask the hon. Member for East Bristol, as representing the Ecclesiastical Commissioners, what is the acreage of farm lands held by the Commissioners in the county of Hereford; what is the rental for the same lands; what is the net income from the same lands after deducting all expenses of management; and what acreage is not let at the present time.

(*Answered by Mr. Hobhouse.*) The total area of the Ecclesiastical Commissioners' lands in the county of Hereford is 2,950 acres, the gross rental amounts to £3,735 16s., and the net annual income is £2,716. There are nineteen acres of woodland in hand. These figures include cottages and some other property which would not come under the description of farms, but such property forms a small proportion only of the whole.

Church Estate Commissioners and Small Holdings.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the hon. Member for East Bristol, as representing the Church Estates Commissioners, whether the Commissioners own the whole or practically the whole land in any parishes; and, if so, what these parishes are, and what provision they make for small holdings in these parishes; and whether, if none is made, they can initiate or encourage the movement in such parishes.

(*Answered by Mr. Hobhouse.*) There are eighteen parishes in agricultural districts in which the Ecclesiastical Commissioners own three-fourths or more of the whole area. The schedule given below shows the names of these parishes, the extent of the Commissioners' lands in each and the holdings into which they are divided. As explained in my written Answer to the hon. Member's Question of the 13th inst.,† the Commissioners have not adopted any system for facilitating the creation of small holdings, but they put no hindrance in the way of any such movement and in suitable cases facilitate the purchase by tenants of these holdings.

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† See (4) *Debates*, clxiv, 1278.

Schedule.

Name of Parish.	Area of Parish.	Area of Ecclesiastical Commissioners' Lands.	How divided.
	Acres.	Acres.	
Raskelf - - -	4,280	3,700	3,030 acres in 12 holdings exceeding 100 acres. 450 acres in 11 holdings between 20 and 80 acres. 70 acres in 26 holdings between 1 and 10 acres. 80 acres in allotments and cottages. 70 acres woodland in hand.
Leighton Bromswold -	3,060	2,990	2,845 acres in 6 holdings of over 190 acres. 15 acres in 4 holdings between 1 and 10 acres. 50 acres in allotments and cottages. 80 acres woodland in hand.
Bishopstone - -	3,385	2,898	2,806 acres in 3 holdings of over 500 acres. 73 acres in 2 holdings between 10 and 50 acres. 8 acres in 4 holdings between 1 and 10 acres. 11 acres in allotments and cottages.
Marton in the Forest -	2,466	2,370	2,210 acres in 14 holdings of over 100 acres. 160 acres in 3 holdings between 30 and 80 acres.
Horning - - -	2,600	2,370	2,210 acres in 4 holdings of over 150 acres. 130 acres in 2 holdings between 50 and 100 acres. 5 acres in 2 holdings between 1 and 10 acres. 25 acres in allotments.
Scampton - - -	2,200	2,120	2,025 acres in 4 holdings of over 400 acres. 27 acres in 5 holdings between 1 and 10 acres. 68 acres in allotments, cow pastures, and cottages.
Pershore St. Andrew -	1,512	1,500	720 acres in 3 holdings of over 150 acres. 275 acres in 11 holdings between 10 and 60 acres. 105 acres in 36 holdings between 1 and 10 acres. 175 acres in allotments, cottages, &c. 225 acres woodland in hand.

Schedule—*continued.*

Name of Parish.	Area of Parish.	Area of Ecclesiastical Commissioners' Lands.	How divided.
	Acres.	Acres.	
Colne Rogers - -	1,574	1,455	The whole in 4 holdings of over 100 acres.
Broxholme - - -	1,350	1,250	1,240 acres in 3 holdings of over 200 acres. 10 acres in 1 holding.
Stratford sub Castle -	1,480	1,154	1,128 acres in 2 holdings of over 500 acres. 26 acres in 13 holdings under 10 acres.
Archdeacon Newton -	1,040	1,040	The whole in 4 farms of 190 acres and upwards.
Greetwell - - -	1,223	1,040	970 acres in 1 holding. 70 acres damaged ground (ironstone workings).
Binegar - - -	1,159	1,010	706 acres in 3 holdings of over 100 acres. 260 acres in 5 holdings between 10 and 50 acres. 36 acres in 27 holdings under 10 acres. 8 acres woodland and disused quarry in hand.
Ampney St. Mary -	1,288	988	1 holding together with land in adjoining parish.
Halloughton - -	988	935	820 acres in 5 holdings of over 100 acres. 50 acres in 1 holding. 17 acres in 3 holdings between 1 and 10 acres. 48 acres woodland in hand.
Asgarby - - -	792	792	The whole in 3 holdings of over 150 acres.
Grenton - - -	826	788	787 acres in 3 holdings over 100 acres. 1 acre in 3 cottage holdings.
Winnall -	531	502	385 acres in 1 holding. 50 acres in 1 holding. 35 acres in 2 holdings over 10 acres. 32 acres in allotments.

Wadhurst Murderer's Reprieve.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for the Home Department whether Stevens, who was sentenced to death for the murder of his mother at Wadhurst, was reprieved owing to extenuating circumstances or owing to insufficiency of evidence; if the former, what were the extenuating circumstances; if the latter, on what grounds the prisoner is detained in penal servitude.

(*Answered by Mr. Secretary Gladstone.*) It would not be in accordance with constitutional practice that I should state the grounds on which I advised His Majesty to respite the capital sentence in this case and to commute it to penal servitude for life, but I may say that after the sentence had been respited I instituted certain further inquiries, which I could not make before, into facts of the case, and when these inquiries were completed I carefully revised the whole of the case in consultation with the Judge. In the end, I came to the conclusion that there was no doubt whatever as to the prisoner's guilt, and that I could advise no further commutation of sentence.

Assistant Inspectors of Factories.

MR. STUART (Sunderland): To ask the Secretary of State for the Home Department whether he is now able to state the improvements he is prepared to make in the conditions of assistant inspectors of factories.

(*Answered by Mr. Secretary Gladstone.*) Yes, Sir. In view of the more important duties which are about to be laid on the assistant class, the Treasury have at my request sanctioned certain improvements in the pay of that class. The minimum salary is to be raised from £100 to £110, while the whole body of forty assistants will be divided into two grades, each containing twenty men. The lower grade will be on the scale of £110 per annum, rising by £5 per annum to £150, and the higher grade on the scale of £150, rising by £5 per annum to £200. This arrangement will supersede the ten special allowances of £25 per annum each which are at present made to ten of the assistants. Sanction has also been given to an arrangement whereby an assistant of exceptional ability may occasionally be promoted into the ranks of the inspectorate proper by means of an examination limited to the subjects relating to his duties without being required to compete against outside candidates in the ordinary factory inspectors' examination. These new arrangements will take effect on the 1st of April next. This announcement will, I hope, give satisfaction to the assistants, and stimulate them to prove themselves worthy of the heavier tasks and greater responsibilities which they will be called upon to undertake.

Motor Skidding Accidents.

MR. COURTHOPE: To ask the President of the Local Government Board whether, in order to avoid accidents owing to the skidding of rubber-tyred wheels, he will include within Clause 7 of the Heavy Motor Car Order, 1904, vehicles with wheels having wooden tyres, which do not skid.

(*Answered by Mr. John Burns.*) Article VII. of the Order limits the speed at which a heavy motor car can be driven on a highway to eight miles an hour, but contains provisoes which allow a higher rate of speed in certain cases. I presume the proposal is that the second of these provisoes, which applies to cases where a car has all its wheels fitted with pneumatic tyres or with tyres made of a soft or elastic material, shall be extended to cars with wooden tyres. I am not, however, at present prepared to give effect to this suggestion.

Death Duties Problems.

MR. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer whether the Board of Inland Revenue, in making the statement that in the case of the estate valued at £132,300 in 1898, and floated with a capital of £450,000 in 1900, the Board had no title to reopen the matter on the strength of developments which took place two years after the death, took into their consideration that such developments disclosed the fact that the estate had been underassessed at the time of death, and also their own statements to this House that the power of the Board to recover under assessed death duty is not limited as to time, and that, had the purchase been effected sooner, the valuation would have been corrected; can he explain the apparent contradiction between the statements made by the Board and say why no action was taken to recover in this case in which a false return had been made, seeing that according to their own statement the Board possessed the power.

(*Answered by Mr. Asquith.*) It is even now impossible for anyone to say that if the property had been sold in 1898, instead of in 1900, it could have fetched more than the sum at which it was valued, the property being of a kind liable to violent fluctuations. The Board adhere to their statement that in this particular case they were precluded from reopening the settlement of 1898, by reason of the circumstances which attended the making of it.

MR. SEARS: To ask Mr. Chancellor of the Exchequer, in the case of the estate valued at £132,300 in 1898 and floated with a capital of £450,000 in 1900, whether he is aware that the prospectus of the company disclosed the fact that a false return had been made at the time of death and that the Estate Duty had been under-assessed to the amount of at least £20,000; has his attention also been drawn to the report of the chartered accountant quoted in the prospectus, from which it appears that the profits made were, in round figures, 1895 £27,000, 1896 £31,000, 1897 £33,000, 1899 £28,000, and 1900 £29,000; will he state whether Income Tax was paid on the sums named; if not, whether action was taken in this case similar to Case 4, page 33, in the Appendix to the Report of the Departmental Committee on Income Tax, 1904–5; and, if not, why not.

(*Answered by Mr. Asquith.*) All the facts were fully disclosed at the time of the death, and there is no ground whatever for the suggestion that a false Return was made. The prospectus issued in 1900 is not before the Board of Inland Revenue, but in any case they are not at liberty to discuss Returns of Income Tax under Schedule D with persons not directly concerned with the Returns.

Army Meat and Forage Contracts.

MR. FIELD: To ask the Secretary of State for War whether he is prepared to reconsider the terms of contract tenders for the supply of meat to the troops and forage to the horses stationed in the three Kingdoms so as to enable the supplies to be of Home produce.

(*Answered by Mr. Secretary Haldane.*) No, Sir.

Barrack Construction.

SIR WILLIAM BULL (Hammersmith): To ask the Secretary of State for War whether he is aware that the accounts of several builders and contractors for works completed for the War Department, prior to the appointment of the Director of Barrack Construction in March 1905, still remain unpaid; whether until the appointment of that official, such delays were unknown; and will steps be taken to expedite payment to the builders.

(*Answered by Mr. Secretary Haldane.*) A few delays have occurred from time to time in the payment of such bills, but only when disputes have arisen on technical points of construction work or when legal questions have arisen in connection with the contracts.

Public Trustee Bill.

SIR HOWARD VINCENT (Sheffield, Central): To ask the Prime Minister if, in view of his declaration that the Government were exceedingly desirous of passing the Public Trustee Bill, and that he fully intended to pass it this Session, and having regard to the almost daily record of fraud to the prejudice of the poor and ignorant, he can now name a day for the Committee Stage, bearing in mind that the session is fast flying away.

(*Answered by Sir H. Campbell-Bannerman.*) No, Sir; I cannot yet name a day for the Committee stage, but the hon. and gallant Member may reply upon it that the Government will do their utmost to pass the Bill this session.

QUESTIONS IN THE HOUSE.

Mr. Bucknill's Report.

VISCOUNT TURNOUR (Sussex, Horsham): I beg to ask the Under-Secretary of State for the Colonies if more than one copy of the evidence, given before Mr. Commissioner Bucknill, is in the possession of the Colonial Office.

THE UNDER-SECRETARY FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The Papers in question are in duplicate. There is the original despatch relating to the Bucknill Report, and one copy of it and its enclosures. Both are and have been since their arrival in England in the Colonial Office, and no one has seen them except official persons and the hon. Member for Berkshire. But I was not aware until this morning that there were in fact two typewritten copies. I greatly regret that by an Answer I gave on the 19th instant I should have misled the House upon this point;† and I am obliged to the noble Lord for having by his Question enabled me to discover and to correct my mistake.

VISCOUNT TURNOUR: I beg to ask the Under-Secretary of State for the Colonies if the witnesses were sworn before giving evidence before Mr. Commissioner Bucknill.

MR. CHURCHILL: The Secretary of State, as he stated in another place on Wednesday last,‡ understands that the witnesses were not sworn.

Tanjong Pagar Dock Award.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies, with reference to the Tanjong Pagar Dock Company award, whether the shares in this company were quoted at $240 when expropriation by the Government was first decided on; whether the Government was offered the shares at $700 by the company; and whether the arbitration award of Lord St. Aldwyn forces the Government to pay $783 per share, equivalent to $880, comparing the present value of the dollar with its value two years ago.

MR. CHURCHILL: I believe that the figure given in the first part of the hon. Member's Question is approximately correct. I do not understand that any formal offer was made by the company, but $700 was mentioned by the directors in conversation with the Governor. The award works out at about $755 per share, which, at 2s. 4d. the dollar, would, as the hon. Member suggests, be equivalent to $880 at 2s.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies, with reference to the Tanjong Pagar Dock award, whether, on 21st June last, the shares of this company were quoted at $485 per $100 share for sellers; and that the award, declared on 14th July, involves the Straits Settlements in a liability for the purchase of those shares £1,000,000 in excess of their total value as at that quoted price.

MR. CHURCHILL: The Secretary of State has no knowledge of the quoted price of these shares at the time mentioned by the hon. Member.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies, with reference to the Tanjong Pagar Dock Company award, whether the costs of this arbitration will exceed £40,000, and of this amount how much Lord St. Aldwyn will receive; and whether this House will have an opportunity of discussing this arbitration.

MR. CHURCHILL: Yes, Sir. The cost of the arbitration will be largely in excess of £40,000. I am unable at present to state the amount exactly. Lord St. Aldwyn received a fee of £5,750 for his services as umpire. The latter part of the hon. Member's Question should be addressed to the Prime Minister.

MR. WEDGWOOD: How long did the arbitration take to sit at Singapore? How many witnesses who appeared before the arbitration came from England?

*MR. SPEAKER: Notice should be given of a Question involving such details.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies whether the total capital of the Tanjong Pagar Dock Company was $3,700,000, on which 12 per cent. per annum was paid until the Government decided to expropriate the property; whether the award of Lord St. Aldwyn involves a payment of about 28,500,000 appreciated dollars for this property, or sixty-five years purchase of annual dividend; and whether he is aware that Governor Sir John Anderson stated, on 13th February, 1905, that fourteen years purchase would be the usual rate in Singapore.

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† See (4) *Debates*, clxv., 394.

‡ See (4) *Debates*, clxv., 729.

MR. CHURCHILL: The figures given by the hon. Member are correct, except that 12 per cent. was the smallest dividend paid in recent years, nor did the dividends accurately measure the value of the property, and I may remind him that among the assets taken over by the Colonial Government is a considerable amount of land not required for the purposes of the company's business. I presume that the hon. Member, in the last part of the Question, is referring to the Governor's despatch No. 23 in Cd. 3249. He stated in conversation with the directors that 7 per cent. was the ordinary rate of interest in Singapore, and that expropriation on that basis would mean fourteen years purchase of their ordinary dividend.

New Hebrides.

SIR GILBERT PARKER (Gravesend): I beg to ask the Under-Secretary of State for the Colonies if he can now state the character of the appointments to be made under the Anglo-French agreement in relation to the New Hebrides; and when the terms of the agreement will be laid.

MR. CHURCHILL: The only new appointment to be made by His Majesty's Government specifically mentioned in the New Hebrides is that of the British Judge in the Joint Court, and no decision has yet been taken as to the number and exact character of the subordinate appointments which will be necessary. The convention was laid before Parliament on the 8th instant.

Gambling in the Federated Malay States.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Under-Secretary of State for the Colonies if he will describe the steps His Majesty's Government are now taking to abolish the system by which the Government of the Federated Malay States are deriving an average annual revenue of $3,000,000 from gambling houses.

MR. CHURCHILL: An enactment is now before the State Councils which will enable the residents to prohibit gambling in districts to be specified by proclamation. When the time comes for re-letting the gambling farm, it is proposed to prohibit gambling in non-mining districts and restrict the hours during which it is permitted in the mining districts and towns. It is hoped that, if these measures are successful, it will in a few years be possible to extend the prohibition to the whole of the States.

Repatriation of Chinese Coolies.

MAJOR SEELY (Liverpool, Abercromby): I beg to ask the Under-Secretary of State for the Colonies whether His Majesty's Government intend to continue payment for the repatriation of Chinese indentured coolies at their own request out of Imperial funds after self-government has been given to the Transvaal and until all the indentured coolies have left that country.

MR. CHURCHILL: The institution of a system of State-aided repatriation of Chinese coolies was designed to mitigate the objections which might justly be urged against the conditions of their employment, by affording at all times a ready path of escape from these conditions. So long as those conditions prevail His Majesty's Government would desire that the means of escape should be preserved unimpaired; and there is no intention on the part of His Majesty's Government to withdraw the support they have given to them. But the arrangements for terminating the existing system of Chinese labour in the Transvaal as expeditiously as possible must be considered as a whole when that Colony is endowed with responsible government; and no single part of those arrangements can be determined separately in anticipation.

MAJOR SEELY: Are we to understand that even after self government has been given, so long as the conditions of Chinese labour may be regarded as servile, the Government will pay from Imperial funds the expenses of those who desire to go home?

MR. CHURCHILL: The State-aided repatriation on the part of the Imperial Government is intended to be coincident with the existence of the evil conditions out of which the policy originally arose.

Mr. ALDEN (Middlesex, Tottenham): I beg to ask the Under-Secretary of State for the Colonies whether he is aware that at a meeting held in Johannesburg on 22nd November it was resolved, by 5,000 to 3, that the proper course for remedying the evils incident on Chinese labour was to repatriate the Chinese coolies on the expiration of their contracts; and whether the Government has signified its approval of this method of dealing with the question.

Mr. CHURCHILL: I have seen such a statement in the newspapers. The policy of His Majesty's Government in regard to Chinese labour has been fully made known both in method and intention. It is not always necessary for official comment to be made on behalf of the Secretary of State for the Colonies upon the resolutions or proceedings of public meetings; such a practice would involve an extension of our duties which could scarcely fail to be laborious and inconvenient. Least of all need such comments be made now when the grant of responsible government is about to afford a regular and effective expression to public opinion in the Transvaal through the agency of a representative Assembly.

Ex-President Steyn and the Orange River Franchise.

Mr. ALDEN: I beg to ask the Under-Secretary of State for the Colonies whether he is aware that ex-President Steyn has expressed the opinion that it would be wise to follow the example of Cape Colony in granting the franchise to the better class natives on an education and property basis; and whether, in view of this fact, he will consider the advisability of consulting the leading men of all parties in the Orange River Colony as to the possibility of inserting a limited native franchise in the new constitution.

Mr. CHURCHILL: Such an expression of opinion by Mr. Steyn would not, in view of the terms of peace, justify His Majesty's Government in inserting a native franchise, however limited, in the new constitution, but it affords some ground for hoping that the action of the future colonial Parliament will show a proper recognition of the principle "equal rights for all civilised men."

Chinese Coolies in Johannesburg.

Mr. MACPHERSON (Preston): I beg to ask the Under-Secretary of State for the Colonies is he aware that Chinese coolies who have been imported into Johannesburg on special licence, referring only to work in the mines, have often been employed of late in various handicrafts, such as carpentering, to the exclusion of white workmen, whose prices may possibly be higher on such work; and, if so, what steps does he propose to take to prevent the recurrence of such incidents.

Mr. CHURCHILL: I have received no information of the kind suggested by the hon. Member, but if any evidence to that effect is brought to the notice of the Secretary of State he will communicate with the Governor on the subject.

Juvenile Offenders at Birmingham.

Mr. WEDGWOOD: I beg to ask the Secretary of State for the Home Department whether the working of the children's court at Birmingham has proved satisfactory in keeping children under sixteen out of prison; in what other places children's courts have been established; and if the Home Office will facilitate the starting of these courts and the payment of probation officers.

*The SECRETARY of STATE for the HOME DEPARTMENT (Mr. Gladstone, Leeds, W.): Yes, Sir. The results of the working of the children's court in Birmingham have been most satisfactory in reducing the number of children committed to prison. The number of children under sixteen received in prison from Birmingham was eighty-four during the twelve months before the court was established and only twenty-one in the first twelve months after its establishment. I have already, in reply to a Question by my hon. friend the Member for Berwickshire on 30th May last,† given full particulars of the action taken by county and borough benches for the separate treatment of children. I have been doing my utmost by regulations in the metropolitan police courts and by circulars to other courts to promote the special and separate treatment of children's cases, and I hope soon to introduce a Bill to facilitate the release of offenders on probation and the payment of probation officers.

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† See (4) *Debates*, clviii., 389.

MR. WEDGWOOD: Will the right hon. Gentleman encourage the formation of a corps of probation officers?

*MR. GLADSTONE: I would suggest my hon. friend should wait for the introduction of the Bill.

Administration of the Shop Hours Act in Glamorgan.

MR. KEIR HARDIE (Merthyr Tydvil): I beg to ask the Secretary of State for the Home Department whether he is aware that orders made under the Shop Hours Act, 1904, are frequently violated and are allowed to go unpunished owing to the difficulty of ascertaining the prosecuting authority; whether the Standing Joint Committee of the Glamorgan County Council refuses to allow the police to take action in such cases in Merthyr; and whether any means can be taken in the way of instructing the police or otherwise to have the provisions of the Act more rigidly carried into effect.

*MR. GLADSTONE: No representations have been made to me to this effect, nor have I received any relating to the enforcement of the closing order made by the Merthyr Tydvil Town Council. No special duty with regard to enforcing such orders is laid upon the police by the Shop Hours Acts. On the contrary, power is given to the authority which makes the order to appoint inspectors and those inspectors are invested with special powers of entry for the purpose, such as are not possessed by the police. It is also open to any person aggrieved to institute proceedings.

Surrender of Life Policies.

MR. MYER (Lambeth, N.): I beg to ask the President of the Board of Trade whether, in view of the amounts which have accrued to life insurance companies in consequence of the number of lapsed policies and for which discontinuances the companies make no allowance in their periodical valuation to the Board of Trade under the Act of 1870, neither are their tables for premiums based in part upon the average secessions, but wholly upon the rates of mortality, he will cause an inquiry to be held into the whole subject with a view to legislation in the immediate future having for its subject the establishment of a legal surrender value of life policies.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I do not think that it is necessary to institute an official inquiry with a view to legislation in the direction indicated by my hon. friend, but if he will place before me any information in his possession on the subject I will see that the matter is carefully considered.

Sir Francis Hopwood.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Board of Trade when the Permanent Secretary of the Board of Trade returned from South Africa; and when he fully resumed his official duties.

MR LLOYD-GEORGE: Sir Francis Hopwood returned from South Africa in July. Since that time he has been fully occupied with official duties.

North Glamorgan Official Receiver.

MR. D. A. THOMAS: I beg to ask the President of the Board of Trade whether Mr. Ellis Owen, the newly appointed official receiver for the Merthyr district, was for some years connected with the Press at Carnarvon and at present occupies the position of manager and editor of the *Brecon and Radnor Express*; and whether he has had any legal training or experience in accountancy, and what other qualifications he has for the post.

MR. LLOYD-GEORGE: Mr. Ellis Owen, the newly-appointed official receiver of the North Glamorgan District, who will give all his time to the duties of the post, has been for about six years manager and editor of the *Brecon and Radnor Express*. He had previously been associated in the management of other newspaper offices. In these posts of management he has had a good deal of practical, and in one instance of exceptional, experience in accountancy. He is a man of undoubted business aptitudes and I find that he is described by the leading Welsh Conservative paper as "an exceptionally keen business man."

In my opinion the experience which a business man acquires in dealing with affairs and with men may in some cases be an even better qualification for an official receiver than a legal education. I have satisfied myself that Mr. Owen is fully qualified for the post to which he has been appointed, and I am glad to observe that the leading South Wales papers of both Parties also take that view.

MR. KEIR HARDIE: Has Mr. Owen had any business experience outside the newspaper world?

MR. LLOYD-GEORGE: Certainly he has, and he is generally recognised as a very keen man of business.

"Shepperton" Assault Case.

MR. SUMMERBELL (Sunderland): I beg to ask the President of the Board of Trade if his attention has been called, by Mr. Allison Wood, of Sunderland, Secretary to the British Shipmasters' and Officers' Protection Society, to the case of Mr. John Annison, of Sunderland, captain of the steamship "Shepperton," who was seriously assaulted at Sulina by two members of his crew, and that, on his appealing to the British consul at that place for redress, the latter stated that he had no jurisdiction to deal with the matter, basing such statement on a letter of instructions, dated 11th June, 1906, 1045M (official letter, No. 11,931); if so, would he state the contents of such letter and the justification for sending the same; and why no action was taken by the consul in accordance with the provisions of the Merchant Shipping Act, 1904 (Section 480, and Part XIII., of the Act).

MR. LLOYD-GEORGE: Yes, my attention has been called to the case to which my hon. friend refers. It appears that a dispute arose between the master of the "Shepperton" and two members of his crew whose wages he proposed to reduce, and in connection with this dispute one of the men assaulted the master on shore and in the presence only of local witnesses. The British Vice-Consul considered that the matter was one for the local authorities before whom he assisted the master to lay the case. The Board of Trade letter referred to in the question had no bearing on cases such as this and dealt with the question of the imprisonment of seaman pending trial. As regards the question of action under the Merchant Shipping Act, I think the Vice-Consul was justified in deciding that the assault did not require to be dealt with under Section 480. The case was not one of such gravity as to require Part XIII. of the Merchant Shipping Act, 1894, to be brought into operation, seeing that the case could be more conveniently dealt with by a local court.

MR. SUMMERBELL: Why did the consul refuse to take action?

MR. LLOYD-GEORGE: He came to the conclusion it was a proper case for the local authorities.

Hendon and the Telephone.

MR. GIBB (Middlesex, Harrow): I beg to ask the Postmaster-General whether he can say when telephonic facilities will be extended to Hendon.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I regret that I cannot at present say when I shall be able to extend telephonic facilities to Hendon. One obstacle—though not the only one—is the high charge which the urban district council desires to make for reinstatement of paving, etc., after the underground wires have been laid.

Post Offices on Licensed Premises.

MR. FERENS (Hull, E.): I beg to ask the Postmaster-General whether there are any, and, if so, how many instances in which a branch post office is established upon premises where a grocer's licence or a licence for the sale of intoxicants for consumption off the premises is also held; and whether, in all future appointments of branch or sub-postmasters, a condition will be made that intoxicating liquors shall not be sold upon the premises where any business of the Post Office is transacted.

MR. SYDNEY BUXTON: A Return of the number of post offices, telegraph offices, and public telephone offices situated on licensed premises has been laid on the Table of the House. It is the rule that sub-postmasters should not hold a licence, and it is only when the public convenience or the efficiency of the service would otherwise suffer that exceptions to the rule are allowed.

Subsidies to the Irish Agricultural Organisation Society.

Mr. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the alterations made in Clauses 16 and 30 of the Bill for the establishment of an Agricultural and Technical Department in Ireland (1899) with the special object of making it impossible for the Department to subsidise out of public funds, either directly or indirectly, the Irish Agricultural Organisation Society or any other private association; and what steps the Irish Government propose to take to secure that the will of Parliament is carried out in this matter.

The CHIEF SECRETARY for IRELAND (Mr. Bryce, Aberdeen, S.): My attention has been called to the questions which have arisen in respect of the alterations made in the Bill of 1899 referred to in the Question, but I have no personal recollections bearing on the subject, and no special or official data for enabling me to form an opinion upon it. As regards the legal question involved, I have asked for the opinion of the Irish law officers.

Mr. DILLON: I desire to ask whether the attention of the right hon. Gentleman has been called to the fact that this is a question involving a matter of policy, whether the alterations made in the clauses of the Bill were not made with the special object of making it impossible for the Department to subsidise the Irish Agricultural Organisation Society; and whether he would not hold himself bound by those alterations not to sanction such action on behalf of the Department.

Mr. BRYCE: I said I did not know the precise point, but I understand the point the right hon. Gentleman raises is one which is disputed by those who are parties, viz., whether the alteration made had that intention. If it has that intention the question arises does the statute cover it? We have seen Acts of Parliament passed supposed to contain certain intentions, and we have seen the Court of Appeal hold that they were bound only by statute. I think I am bound by what the meaning of the statute is, and upon that I have asked for the opinion of the law officer.

Mr. DILLON: The right hon. Gentleman has not really replied to my Question. What I ask is, whether the personal attention of the right hon. Gentleman has been called to the matter. I am speaking now not strictly on a matter of law, but of policy. I ask the right hon. Gentleman whether, in his opinion, the alterations made did not involve a pledge on behalf of the head of the Department not to give to these outsiders?

Mr. BRYCE: That is covered by my Answer. With regard to the meaning of the statute, the view I take is that the Court of Appeal decided the other day, that what was said at the time the statute was passed does not govern the statute. The statute must be interpreted as it stands.

Mr. DILLON: I am sorry to have to ask another Question. This is a matter of policy; it is not a question of legal interpretation. The Question I want to ask is this, whether the right hon. Gentleman has examined what took place at the passing of the Bill, and whether in his opinion as Minister he is not bound by the alterations to exercise his authority to prevent the Department subsidising these associations.

Mr. BRYCE: Without expressing any opinion on that—which is a matter of controversy—I do not consider my view as a matter of policy should be governed by that matter. My view of the matter of policy so far as this House is concerned must be interpreted by the Act.

Mr. FLYNN (Cork, N.): May I ask whether this Irish Agricultural Organisation Society is not a private trading society in competition with importers and exporters, and therefore entitled to no help?

Mr. BRYCE: That raises a totally different question. It is not the question raised by the hon. Member for Mayo, and it does not arise out of the Question.

MR. FLYNN: I shall raise this question on the Vote for the Department.

MR. DILLON: I beg to ask Mr. Attorney-General for Ireland whether his attention has been drawn to the fact that the action of the Department of Agriculture and Technical Instruction in Ireland in subsidising the Irish Agricultural Organisation out of the public funds at its disposal is illegal; and what steps he proposes to take to prevent the continuance of this illegal action on the part of the Department.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): My attention has been drawn to the action of the Department of Agriculture and Technical Instruction in making payments out of public funds to the Irish Agricultural Organisation Society. I am aware that the legality of these payments has been questioned; but the Department, on the other hand, hold that the payments are legal. The question is one of very great importance, and a case containing a full statement of the facts is being prepared for the opinion of the law officers. This will receive full consideration from my colleague the Solicitor-General and myself.

Teaching of Irish in Irish Schools.

MR. BOLAND (Kerry, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is now in a position to state what action, if any, the National Board of Education propose to take on the suggestions put forward by the Coisde Gnotha of the Gaelic League for the teaching of Irish and the scale of fees.

MR. T. L. CORBETT (Down, N.): Has the right hon. Gentleman sufficient knowledge of the language to be able to explain the meaning of the Gaelic words in the Question?

MR. BRYCE: Although my knowledge of the language is, I am sorry to say, very limited, I have informed myself sufficiently of the meaning to enable me to answer the Question. I am not yet in a position to state what action, if any, the Commissioners of National Education propose to take in the matter mentioned in the Question.

Portmagee Pier.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Kerry County Council has agreed to contribute a sum of £200 towards the extension of the pier at Portmagee provided that the Congested Districts Board will complete the work; and whether, in view of the fact that the pier has lately been inspected by the Board's engineer, and that the Board has previously expressed its willingness to undertake the work on condition that a subscription should be forthcoming from the landlords or other source, this undertaking will now be carried out.

MR. BRYCE: I am informed that in October, 1894, the Congested Districts Board decided that they would not undertake the extension of Portmagee pier, the cost of which was estimated at at £1,250, unless a substantial local contribution were forthcoming. The county council have now offered £200, which cannot be regarded as a substantial contribution. It was expected that a contribution would also be obtained from the authorities of Trinity College, who are not only local landlords but, as the Board understand, are in possession of the existing pier. The Board's engineer is now in communication with the county surveyor, and will shortly furnish plans and estimates for the extension, whereupon the matter will be further considered by the Congested Districts Board.

Colonel Malone's Baronstown Farms.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, if he does not favour the consolidation of grass farms in a congested neighbourhood at the public expense, will he ask the Estates Commissioners to refuse to declare the partially congested portion of the Baronstown a separate estate, unless Colonel Malone sells the grass farms for the relief of the congestion.

MR. BRYCE: I beg to refer the hon. Member to my previous Answers on this subject, in which I have stated, on the authority of the Estates Commissioners, that the grass farms on Colonel Malone's estate are held under leases or by yearly tenants, and that the Commissioners have no power to compel lands so held to be sold to them as untenanted land. I am at one with the Commissioners in their policy of acquiring untenanted lands for the enlargement of uneconomic holdings wherever that may be possible, and it is quite unnecessary that I should ask them to do what they are most anxious to do. If the hon. Member has any new facts which he desires to bring to the notice of the Commissioners I shall be happy to communicate further with them.

Evicted Tenants.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that some evicted families are still unprovided for, not owing to any defect in their claim or to want of untenanted land, but to a difficulty in making sufficient grant to enable families consisting of women to work new holdings; and, seeing that these are the families that have suffered most and whose need is greatest, will he take any steps to have their cases dealt with this season by the Commissioners.

MR. BRYCE: The Estates Commissioners inform me that they are unable to identify any particular cases as coming within the description mentioned in the Question. The Commissioners deal with individual cases of evicted tenants after full consideration and inquiry into the merits of each case, and pay due regard to the terms of No. VI. of the Regulations of the Lord-Lieutenant, dated 13th February, 1906.

Galway Police Sergeant.

MR. DILLON: On behalf of the hon. Member for Galway, I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Sergeant Walker, of the constabulary barracks in Dannuch Street, Galway, swore an information against Mr. John Lydon, a leading Nationalist in Galway, on the 12th November, and was disbelieved by the bench; that on previous occasions, within the past two years, the same sergeant swore information which was discredited in Court; and that he was removed from another district to Galway in consequence of repeated local protests expressed in this House and elsewhere; and whether the authorities will take steps to have this sergeant placed in some situation where he will be under the immediate charge of a district inspector and head constable.

MR. BRYCE: I am informed by the police authorities that Mr. John Lydon was summoned by the police for having his licensed premises open at prohibited hours, Sergeant Walker being the principal witness. As there was some conflict of testimony in regard to the exact time at which the premises were found open, the magistrates gave the accused the benefit of the doubt and dismissed the case. The County Inspector reports that it is not the case that the sergeant has sworn information which have been discredited in Court. Sergeant Walker was transferred to Galway, not because of any protests, local or otherwise, but in the interests of the public service. The Inspector-General has received reports from the local officers that Sergeant Walker is a man of excellent character and conduct, and he therefore sees no grounds to order his removal from his present station.

Lissahully Tenantry.

MR. SWIFT MACNEILL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants in the townland of Lissahully, in Killeen, county Donegal, signed purchase agreements in March, 1905, with the Congested Districts Board of their holdings on terms of about twenty-seven years purchase of what the Board estimated to be the fair letting value of the lands, and were informed that this purchase annuity would become payable within six weeks or two months, during which period they would have to pay £4 per cent. interest on their purchase money; whether he is aware that these tenants, notwithstanding this assurance, have, since March, 1905, till the present time, been compelled to pay £4 per cent. on the purchase money which amounts to 4s. 6d. in the pound more than they were informed their purchase annuity would be, while some of these tenants who were tenant purchasers of small farms in the neighbourhood gave up their farms on the strength of the promises made by the Congested Districts Board; and whether, having regard to the hardship and expense sustained by these tenants through the failure of the Congested Districts Board to fulfil their undertaking that the purchase annuity of £3 5s. per cent. would become payable within six months of the signing of the purchase agreements, and that in some cases the interest of £4 per cent. per annum would not be paid for any period however short, what are the steps which it is proposed to take to relieve them from this burden, and to give them compensation for the time during which it was borne in violation of the undertaking given by the Congested Districts Board.

Mr. BRYCE: I am informed that the facts are generally as stated, but with this substantial exception, namely, that no officer of the Congested Districts Board informed the tenants that the 4 per cent. interest would only be payable for the short time mentioned. The purchase agreements were executed by the tenant purchasers before a Commissioner of Oaths who is bound to see that the tenant understands the conditions of the purchase agreement. This agreement expressly states that 4 per cent. interest on the purchase price shall be paid in lieu of rent from the date of execution of agreement to the date on which the advance of purchase money applied for may be made to the Congested Districts Board by the Land Commission. The delay in vesting the holdings in the tenants appears to have been caused by legal difficulties which arose in connection with the redemption of a head rent payable out of the lands, but the solicitor reports that he hopes that the matter will soon be completed. There is no doubt that this delay was not anticipated at the time, and under the circumstances the matter will be brought before the Board at their next meeting with a view of considering whether a reduction from 4 per cent. to 3¼ per cent. interest should be given to the tenants.

Irish Agricultural Endowment Fund.

Mr. MOONEY (Newry): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the fund, referred to in the annual Report of the Department of Agriculture and Technical Instruction for Ireland as the endowment fund, has been created under Section 16, Sub-section 3, of 62 and 63 Vic., c. 50; if not, under what section, if any; and whether, seeing that Section 16, Sub-section 3, is merely the usual proviso for the retention of unexpended yearly balances, and that, on 31st March 1905 the Department had, in addition to the ordinary yearly balance of £37,077 1s. 9d., a sum accumulated and invested amounting to £410,837 15s. 11d., and, in view of the fact that many schemes beneficial to the country for the purposes of agriculture and other rural industries or sea fisheries have been refused aid by the Department on the ground of lack of funds, he will consider the advisability of releasing this sum of money, or a portion of it, and have it devoted to the objects for which it was primarily voted by Parliament.

Mr. BRYCE: The endowment fund of the Department of Agriculture and Technical Instruction was created under the provisions of Section 15 of the Agriculture and Technical Instruction Act of 1899. The nominal or face value of the securities at present held is £379,431 15s., the real value, at present prices, being approximately £357,430. In addition, the Department have £35,000 in bank on temporary deposit, and the total value of the endowment fund is therefore £392,430. The liabilities on this sum which are earmarked under the terms of Section 16 (1) (a) to (f) of the Act, amount to £122,540; and allocations sanctioned by the Agricultural Board for agricultural colleges and stations, and agricultural schemes, amount to £139,960. The unallocated balance, amounting to about £130,000, is, in the view of the Department, required to meet the present excess of annual expenditure over normal income on the purposes of agriculture and other rural industries, and sea fisheries, as defined in Section 30 of the Act.

Mr. MOONEY: Is the right hon. Gentleman aware that the figures mentioned in my Question are taken from the official publication of the Department, and inasmuch as the right hon. Gentleman has denied the authenticity of the statement that the fund amounts to £410,837, will he take steps to see that the Department publish accurate figures?

Mr. BRYCE: If the hon. Member wishes I will obtain information on that point.

MR. DILLON: Is the deficiency in the annual revenue of the Department due to the subsidies paid to the Irish Agricultural Organisation Society?

MR. BRYCE: I do not know what the cause is.

United Irish League—Leitrim Branches.

MR. T. L. CORBETT: On behalf of the hon. Member for East Down, I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that in that portion of the county Leitrim of which Drumkeerin, Dromahair, and Dowra are the centres, the United Irish League is holding courts to which the grazier, the farmer, and the shopkeeper are bidden to come and appear or else subject themselves to the penalty of the league law; and whether he proposes to take any, and, if any, what action in the matter.

MR. BRYCE: I am informed by the police authorities that it is not the case that courts are held by the United Irish League in the districts referred to. It appears, however, from local newspaper reports that meetings of the League are held at which evicted tenants and others sometimes attend to give voice to their grievances, and at subsequent meetings the persons whose action may be complained of sometimes voluntarily appear for the purpose of offering an explanation. I have not received any information which would go to show that there has been any omission to take any action called for. The police are taking all necessary steps for the preservation of the peace, and the condition of the district is being watched.

MR. T. L. CORBETT: Does the right hon. Gentleman deny that a reign of terror exists there?

*MR. BRYCE said he was not aware of any circumstances which would justify the strong expression used by the hon. Member.

Boycotting at Dromahair.

MR. T. L. CORBETT: On behalf of the hon. Member for East Down, I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, in consequence of the action of the United Irish League, people in Dromahair by boycotting and othe methods have been obliged to get the necessities of life sent them through the medium of the Post Office, and that a branch of the League at Drumkeeran having discovered this reported that the Post Office authorities were supplying goods to a farmer named Boles and his assistant, and directed their vigilance committee to make further inquiries and report at the next meeting; and what steps he is taking to maintain the supremacy of the law in these parts.

MR. BRYCE: I am informed by the police authorities that it is not the fact that persons at Dromahair have been compelled, by boycotting or other methods, to obtain the necessaries of life through the medium of the post. A local newspaper recently contained a statement to the effect mentioned in the second part of the Question, but the police have no knowledge that these proceedings did in fact take place at the meeting. The police are, I am informed, taking all measures which may be necessary to protect persons from intimidation, and generally to preserve the peace in this district.

Royal Irish Constabulary.

MR. T. L. CORBETT: On behalf of the hon. Member for East Down, I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is proposed by the Government to alter in any way by legislation the present *status* of the Royal Irish Constabulary, or interfere with existing arrangements whereby its administration and financial control are retained in the hands of the executive Government directly responsible to the British House of Commons.

MR. BRYCE: I have already told the House that I cannot, in the course of the present session, make any statement, either of a positive or negative character, in regard to any possible future legislation which may affect any branch of the Government of Ireland; and the hon. Member will doubtless understand that he is not to draw any inference whatever from this statement which, for obvious reasons, must be made in the most general terms that can be employed.

MR. T. L. CORBETT: Is the right hon. Gentleman willing to ask the Prime

Minister to consult the members of the Irish Unionist Party as to any future legislation?

MR. BRYCE: My right hon. friend has already stated that he will be most happy to receive suggestions from members of the so-called Unionist Party.

Gaelic League's Teaching Scheme.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state the nature of the scheme of Irish teaching which has been laid before him by the Gaelic League; whether he has approved of it; and whether, instead of putting pressure upon the National Board in regard to this matter, he will endeavour first to get from the Treasury the additional funds necessary for providing adequate schoolhouse accommodation for Irish children.

MR. BRYCE: The suggestions as to the teaching of Irish which have been sent to me by the Gaelic League are too long to be stated in Answer to a Question, and, indeed, were not sent to me for publication. I have expressed no opinion regarding them, but have referred them to the National Board to whom it belongs to submit proposals for the expenditure of money in every branch of elementary education. The hon. Member is not entitled to assume, and is wrong in assuming, that any pressure has been put upon the National Board. None such has, in fact, been put. The Irish Government is, and has for some time been, in constant communication with the Treasury in regard to the provision of adequate schoolhouse accommodation for Irish children, a subject whose importance is fully recognised.

MR. LONSDALE: Is not the placing of these schoolhouses in a sanitary condition more important than teaching the Irish language?

MR. BRYCE: I have said I regard the provision of good buildings as of the highest importance.

Sligo and Bundoran Railway.

MR. SWIFT MACNEILL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a series of resolutions passed at a public meeting held in Bundoran on 8th November, over which the Very Rev. J. Malhern, D.D., P.P., presided, in favour of the construction of a line of railway between Sligo and Bundoran, in which the advantages to the public of such an undertaking are set forth; and whether, having regard to the fact that he, in response to a deputation which waited on him during his visit to Sligo, expressed himself in the main as favourable to such a project, he will take into consideration in the preparation of the Ireland Development Grant Estimate for 1907–8 the question of the construction of a line from Bundoran to Sligo.

MR. BRYCE: I have received the resolutions referred to in the Question, and have asked the Board of Works for a report on the proposed line. Although disposed to favour this and every similar project which would tend to develop the resources of the country, I regret to say that the present financial position of the Ireland Development Grant is not such as to make it possible to throw at this moment any further charges for railway extension upon it.

MR. SWIFT MACNEILL: Is the right hon. Gentleman aware that he is one of about half-a-dozen itinerant Irish Secretaries who have come down holding out hopes which have no chance of realisation?

[No Answer was returned.]

State of School Buildings.

MR. DILLON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is now in a position to make a full statement of the situation as to school building grants in Ireland; whether the dispute between the Treasury and the National Board in this matter has now lasted for six years; and whether he can state the reasons for this state of affairs. May I also ask whether the right hon. Gentleman's attention has been called to that part of the last Report of the Commissioners for National Education which deals with this subject, and whether he can lay on the Table the full correspondence between the Treasury and the National Board on this question of school grants?

MR. BRYCE: I am afraid I cannot say that the confidential correspondence between the Departments can be laid on the Table. After consultation with the Treasury I am able to say that the present position is that the suggestions of the Commissioners of National Education as regards standard plans for the future were forwarded by the Irish Government to the Treasury a few days ago, and are now being examined on behalf of the Treasury. In the meantime, the Commissioners have authority to submit urgent cases, with details of requirements in each case, for consideration on their merits.

MR. DILLON: Am I to understand that after six years—for this question arose six years ago—these controversies between the Treasury and the National Board are still going on while the schoolhouses are falling in ruins about the heads of the children? Are we now where we were six years ago?

MR. BRYCE: That is not the case at all. It is not the case that this particular question has been going on for six years, though there has been a great deal of regrettable delay. There had been a great deal of correspondence backwards and forwards going on for some time before the present Government came into office about the amount of money that should be given; but these questions have been very largely disposed of now, and a general arrangement for the disposal of the money for the next few years has been come to. For the moment this further question has arisen, and that is the question which is now stopping the way. I hope it will soon be disposed of.

MR. DILLON: As this is a matter of vital importance, I wish to ask the right hon. Gentleman whether he cannot press the Treasury to allow him to lay the correspondence and a full statement of the situation before the House?

MR. T. L. CORBETT: May I ask the so-called Chief Secretary for Ireland—— [MINISTERIAL cries of "Order."]

*MR. SPEAKER: The hon. Member is not entitled to use insulting language.

MR. T. L. CORBETT: I withdraw the epithet, Sir. It was only called forth by the insult of the Chief Secretary to the Irish Unionist Party in answer to a previous Question of mine.

*MR. SPEAKER: If the right hon. Gentleman had used any expression I considered unparliamentary I should have called his attention and the attention of the House to it.

MR. LONSDALE asked whether the right hon. Gentleman had any right to describe the Irish Unionist Party as "the so-called Unionist Party?"

*MR. SPEAKER: Many things may be said of a Party which may not be said of an individual.

MR. BRYCE: If that expression, which, I confess, I used in a somewhat festive manner, gives any offence to the hon. Member, of course I withdraw it.

MR. R. DUNCAN (Lanarkshire, Govan): Is the right hon. Gentleman aware that there is in Ireland a desire which is rapidly ripening into a demand for more effectual dealing with educational matters, and will he take an early opportunity of placing before the House some statement of policy?

*MR. SPEAKER: That does not arise out of the Question on the Paper.

West Belfast Revision.

MR. JOHN REDMOND (Waterford): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the fact that at the recent revision for the Parliamentary Division of West Belfast the revising barristers were obliged to disfranchise a considerable number of voters owing to the fact that the poor rate payable in respect of the premises out of which the franchise was sought had not been paid during at least a portion of the time that the premises were in the occupation of the persons claiming the franchise; whether he is aware that in all the cases referred to such payment should have been made by the landlord or his agent; whether the agent for such properties is bound to make a statutory declaration, and in each of the cases referred to did make such declaration, to the effect that the premises were vacant, and accordingly claimed an abatement upon the rates proportionate with the period of alleged non-occupation of the premises: whether he is aware that in several cases the agents, on cross-examination, had admitted that they had placed on the list as vacant houses which they knew were not vacant; whether his attention has been called to the remarks of the revising barrister, who expressed himself strongly upon the matter and did not hesitate to say that the declarations were made for the purpose of defrauding the rates; and whether, in view of the fact that a number of electors have by this method been deprived of the franchise, he intends to take any action against such agents for making, first, false declarations, and, secondly, for obtaining money by false representations and so defrauding the ratepayers.

MR. BRYCE: My attention and that of my right hon. friend the Attorney General for Ireland have been called to the facts alleged in the Question, and the Attorney-General has directed that full inquiries shall be made by the Crown Solicitor with the view of ascertaining whether offences against the law have been committed. Upon receipt of the Crown Solicitor's Report the Attorney-General will consider the question of instituting a prosecution.

Macroom Disturbance.

MR. T. L. CORBETT: On behalf of the hon. Member for East Down, I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the fact that a crowd of Nationalist rowdies on the 14th instant at Macroom attacked a Mr. McCarthy and his sister as they were boarding the train for Cork, knocking the former down several times and otherwise behaving in a most disorderly manner; and will he say whether the offenders have been brought to justice.

MR. BRYCE: I am informed by the police authorities that proceedings at the instance of the police have been instituted against four men in connection with the incident referred to in the Question. While these proceedings are pending it is undesirable that I should make a detailed statement in the matter, but I may observe that I have no information either about the politics or the personal character and general demeanour of the persons accused.

Untenanted Lands in Cork County.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the details of the latest Return of untenanted lands in Ireland; whether the Estates Commissioners are aware that amongst other owners of large parcels of land now untenanted, an examination of the Returns show that in the county of Cork Sir John W. Beecher, in the electoral division of Roskeen, holds approximately 1,030 acres, Lord Castletown, division of Doneraile, 1,060 acres, Major Aldworth, division of Newmarket, 860 acres, Mr. Wm. N. Leader, Rosnalee division, 1,940 acres, Mr. Thomas Clarke, Aglesh division, 1,058 acres, Sir Augustus Warren, Warrenscourt division, 612 acres; and whether, in view of the claim of numerous evicted tenants in the localities, and the facilities afforded by the provisions of this year's Labourers Act for the acquisition of suitable economic holdings by deserving agricultural labourers, the Estates Commissioners will instruct their inspectors to communicate with these and other owners with the least possible delay in order to carry into practical effect the intention of Parliament.

MR. BRYCE: The Estates Commissioners inform me that they have communicated with two out of the six owners mentioned in the Question, but their agents have replied that the lands are not for sale. In two of the cases originating applications for sale had already been lodged, and there was therefore no necessity to approach the owner. In the two remaining cases the property appears to comprise mansion houses and lands, and the Commissioners have not approached the owners.

Irish Butter Trade.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that frequent representations have been made in the interest of the export trade in Irish butter, to the effect that a system of grading should be introduced such as is carried out by New Zealand and Denmark; and whether the Irish Department of Agriculture will now adopt this system, in view of the fact that the export of Irish butter amounts annually to a value of nearly £5,000,000, and that a system of grading would considerably increase its value.

MR. BRYCE: The Department of Agriculture and Technical Instruction have received representations to the effect mentioned, and the matter has engaged their attention for some time past. The Department are not satisfied that the arguments in favour of the proposal are such as would warrant them in embarking on the necessarily large expenditure which would be entailed by an experiment in the grading of butter, the success of which would be very doubtful.

Royal Irish Constabulary—Belfast Inquiry.

MR. SLOAN (Belfast, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the result of the recent Commission of Inquiry which sat in Belfast in connection with the Royal Irish Constabulary; what was the cost incurred; and what changes, if any, are to take place as the result of this inquiry.

MR. BRYCE: The result of the inquiry was to show that there were no important or substantial grounds for dissatisfaction in connection with the organisation and discipline of the Belfast Police Force, but it cleared up several matters as to which an inquiry had become necessary. I am informed by the Treasury that the cost of the inquiry was £517. As respects changes to be made, that matter is still under consideration, and I shall not be in a position to give a definite Answer to the concluding part of the Question until I have had an opportunity of consulting the Inspector-General with reference especially to the organisation of the detective force.

MR. SLOAN: Will it be before the end of the session?

MR. BRYCE: I cannot say for certain.

Culmore National School Teacher.

MR. SLOAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state on what grounds and by whose authority has Mr. H. R. Gilmore, principal teacher of Culmore national school, been dismissed; and whether, seeing that Gilmore has been a successful teacher and a man of unblemished character, he will take steps to have the dismissal of this teacher thoroughly investigated.

MR. BRYCE: The Commissioners of National Education inform me that Mr. Gilmore was served by Dr. Sproule, the manager of the school, with three months notice of dismissal in accordance with the terms of the agreement executed between the parties. The Commissioners, however, understand that the notice of dismissal has since been withdrawn.

Untenanted Lands Return.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Return of untenanted lands in rural districts in Ireland recently issued is misleading, inasmuch as the demesne lands are not sufficiently indicated; whether he is aware that in many cases the demesne lands cover several townlands, whereas in the Return the mansion house is mentioned only in connection with the townland in which it happens to be situated; whether in some cases lands farmed by owners are returned as unoccupied; and whether he will have the Return re-issued in a corrected form.

MR. BRYCE: If the hon. Member will refer to the Return in question he will see that it has been prepared in the precise form in which it was ordered by this House. It is no doubt the fact that in some cases a demesne covers more than one townland. The Return, however, shows all mansion houses in the particular townlands in which they are situate, thus following the requirement of the order. In no cases are lands returned as unoccupied. There does not appear to be any reason for amending the Return.

MR. LONSDALE asked the right hon. Gentleman to inquire into the case of the county of Armagh.

Mr. BRYCE promised to convey any information supplied him by the hon. Member to the authorities concerned.

Cavan Evicted Tenants.

Mr. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if applications for reinstatement have been received by the Estates Commissioners on behalf of Mrs. Rose Moore and Mrs. M'Sherry on the estate of George Stewart Smith, county Cavan; are the holdings of these evicted tenants in possession of a grabber, and, if so, what is the name; and will he state what steps have been taken to effect the restoration of these evicted tenants.

Mr. BRYCE: The Estates Commissioners inform me that they have received an application for reinstatement from Mrs. Moore, and have referred it to their inspector for inquiry and report. Mrs. Moore's former holding is stated to be in the occupation of Charles McLean. The Commissioners do not appear to have received an application for reinstatement from Mrs. M'Sherry.

Kenmare Postal Arrangements.

Mr. BOLAND: I beg to ask the Postmaster-General whether he is aware that a letter addressed in Irish and posted in Killorglin on the morning of the 10th November was not delivered in Kenmare until the 13th November; whether, in view of the fact that these two towns are in the same county, he can explain the reason of the delay; and whether steps will be taken to prevent it occurring in the future.

Mr. SYDNEY BUXTON: I find that, in consequence of pressure of work at Killorglin, the letter to which the hon. Member refers was forwarded from that office with the address untranslated. The address could not be read at the intermediate office, and the letter had therefore to be sent to Dublin, where, as Sunday intervened, it could not be dealt with until the Monday morning. Its subsequent delivery was in due course of post. I cannot undertake that no delay will be caused if letters are addressed in Irish.

Lodger Franchise.

Mr. BILLSON (Staffordshire, N.W.): I beg to ask the Prime Minister whether, considering the uncertainty and confusion caused by the varying decisions of revising barristers with respect to the lodger franchise, and the extension of the effects of that franchise under recent interpretations of the Courts, the Government will consider the desirability of taking steps next session to ensure greater uniformity and certainty in the regulation of this branch of registration.

The PRIME MINISTER and FIRST LORD of the TREASURY (Sir H. Campbell-Bannerman, Stirling Burghs): The President of the Local Government Board issued circulars in April last with a view of securing that effect should be given to the decision of the Court in the case of Kent *v.* Fittall, which is, I presume, one of the decisions referred to in the Question. I gather, however, that my hon. friend desires that the matter should be dealt with in a way which could only be effected by means of legislation. I may tell him that the Government are fully alive to the importance of the question, which is under consideration at the present moment; but he must not press me to give a promise of legislation next session.

Mr. Bucknill's Report.

Mr. MOND (Chester): I beg to ask the Prime Minister whether his attention has been called to a town's meeting held at Johannesburg on Friday, 23rd November, convened by the mayor to press for the publication of Mr. Bucknill's Report and evidence; and whether, in view of the expressed desire by responsible and influential citizens of Johannesburg, including several clergymen, to be acquainted with the true facts as to the moral condition of the Chinese coolies in the compounds, the Government will reconsider their previous decision and will allow the Report and evidence to be either published or made accessible both here and in Johannesburg to responsible people wishing to see it.

Sir H. CAMPBELL-BANNERMAN: I have seen the account of this meeting. His Majesty's Government are not prepared to reconsider their decision in consequence of this meeting. Only short telegraphic accounts of the discussion, which took place in Parliament on 15th November, have as yet reached South

Africa, and the Colonists are therefore not yet in possession of the full statement of the position of His Majesty's Government and of the reasons which have actuated them.

MR. RAWLINSON (Cambridge University); I beg to ask the Prime Minister why the Government have determined that no inquiries shall be made as to the source from which certain newspapers obtained extracts from a confidential official document dealing with crime among Chinese coolies in South Africa.

SIR H. CAMPBELL-BANNERMAN: I thought that in the profession of which the hon. Member is a distinguished member there was some maxim under which judges are supposed to act which warned them against giving reasons for their judgments. I propose to apply this maxim now. Confidential matters do, in spite of all precautions, from time to time leak out; and I cannot see my way to propose that the police should be called in whenever such regrettable occurrences take place.

Royal Patrotic Fund—Case of Mrs. Anne Kerry.

MR. BYLES (Salford, N.): I beg to ask the Prime Minister whether he is aware that of the million and a half of money subscribed by the public for the widows and children of soldiers killed in the Crimean War, a large balance remains undistributed, and that nevertheless widows entitled to this bounty are being cast into the workhouse to die; whether he is aware that Mrs. Anne Kerry, whose husband was killed at Inkerman, is now in Loughrea workhouse, her pension from the Royal Patriotic Fund taken from her; that she is very aged and very infirm; and whether he will take steps by legislation or otherwise to enable the nation to fulfil its trust, and to surround this lady in her declining days with such comforts as are her due.

SIR H. CAMPBELL-BANNERMAN: I am informed that the facts are not as might be inferred from the terms of the Question. So far from the balance being undistributed, as suggested by my hon. friend, the expenditure in annuities to the widows amounted to £14,087 in 1905, while the income for that year was only £4,607. It therefore follows that the balance of the Crimean War fund is being distributed at such a rate as involves its diminution yearly by thousands of pounds, while there remain on the Fund 565 beneficiaries in enjoyment of annuities from the Fund as at 31st December, 1905. I am also informed that no widow has, by the action of the Patriotic Fund authorities, been "cast," as stated by my hon. friend, "into the workhouse." The circumstances under which Mrs. Anne Kerry, referred to in the hon. Member's Question, is now in the Loughrea workhouse, were stated to the House in an answer to a Question put by the hon. Member for South Galway to the Secretary of State for War on 19th November.†

MR. BYLES asked whether the fund spoken of was being received for people who were fast disappearing, and whether it was not for the class to which this lady belonged that the money was subscribed.

SIR H. CAMPBELL-BANNERMAN: This old lady—I remember the nature of the Answer given to the hon. Member opposite—was taken to the workhouse at the request of her son. At that time she was receiving 10s. a week from the Fund, but her son considered she would be better off in the workhouse infirmary, and she being there maintained from the rates, the 10s. was not continued. but if she came out of the workhouse the 10s. a week would be resumed.

MR. DUFFY (Galway, S.): Arising out of the reply given by the Prime Minister, I wish to correct him——

*MR. SPEAKER: The hon. Member can only do that by means of a Question.

SIR H. CAMPBELL-BANNERMAN: It may save time if I suggest to the hon. Member that he should address his Question to the proper authority in the House who gave him his previous Answer if he is not satisfied with the Answer I have given; I am only speaking from memory.

MR. DUFFY: If the proper authority is present, and I believe he is—I will put the Question to him. Is the proper authority aware that this old lady was sent to the Loughrea workhouse upon the express recommendation of the medical officer, and apart from the humiliation to this lady, whose husband was killed at Inkerman, by being placed on the poor rates, will he make a continuance of the grant of a few paltry shillings to brighten the evening of her days, even in an Irish workhouse?

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† See (4) *Debates*, clxv., 375.

MR. HALDANE: No, sir, the proper authority is not aware. The War office has no control whatever over the Royal Patriotic Fund or any similar funds, and has no means for making provision for such cases as that to which the hon. Member has referred.

LORD R. CECIL (Marylebone, E.): Are we to understand that the Government can do nothing for this old lady?

MAJOR SEELY asked if there was any authority in the House to answer the Question.

MR. SHACKLETON (Lancashire, Clitheroe) asked whether it was not the fact that this old lady received the allowance for years, the last payment being made of £6 10s. on 1st July for the ensuing quarter, that she entered the workhouse in the beginning of July, and that the payment would be resumed immediately she was removed therefrom.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. McKENNA, Monmouthshire, N.) said that was so, and she was in the workhouse at the request of her son.

MR. DUFFY: No——

*MR. SPEAKER: Notice should be given of any further Questions.

Care of the Feeble-minded.

MR. ALDEN: I beg to ask the Prime Minister when the interim Report of the Royal Commission on the Feeble-minded will be published.

SIR H. CAMPBELL-BANNERMAN: I have made inquiries of the Commission, but I find that they have no information to make public. My hon. friend understands, of course, that the Government have no control whatever over the proceedings of Royal Commissions.

BUSINESS OF THE HOUSE.

MR. JOHN REDMOND asked when it was proposed to take the Town Tenants (Ireland) Bill again.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.): And can the right hon. Gentleman indicate the course of business for the next few days?

SIR H. CAMPBELL-BANNERMAN said the Government proposed to take the Workmen's Compensation Bill tomorrow, and the Third Reading of the Town Tenants (Ireland) Bill on Friday. The Third Reading of the Plural Voting Bill would be taken on Monday. The Report stage of the Workmen's Compensation Bill would be continued on Tuesday and Wednesday. If the Report stage was not concluded before Wednesday, the Eleven o'clock Rule would be suspended on that day.

SIR HOWARD VINCENT (Sheffield, Central): When will the Public Trustee Bill be taken?

*SIR FRANCIS POWELL (Wigan): And the Provision of Meals for School Children Bill?

SIR H. CAMPBELL-BANNERMAN said he could not name days for those Bills, but they were not being lost sight of. A good many things besides Mahomet's coffin were hanging between heaven and earth at this moment, and under the influence of that general consideration he could not name a day.

MR. KEIR HARDIE (Merthyr Tydvil) asked whether the Government intended to redeem the pledge given by the President of the Local Government Board that time would be given this session for the discussion of the Education (Provision of Meals) Bill.

SIR H. CAMPBELL-BANNERMAN: I have just said so.

NEW BILL

CLANRICARDE ESTATES (EXPROPRIATION).

MR. DUFFY (Galway, S.), in asking leave to introduce a Bill to provide for the expropriation of the Marquess of Clanricarde from his Irish estates, said his action was impelled by two motives. As a resident in the locality he saw it was absolutely impossible to maintain and preserve the faintest appearance of law and order in the wide stretch of country extending from the Shannon to the sea—a distance of forty Irish miles—so long as Lord Clanricarde was allowed to exercise his free and unfettered will in the extraordinary manner they were unfortunately acquainted with. Moreover, the state of unrest and disaffection, constantly bordering on rebellion and civil war, which everlastingly permeated, not alone the entire Clanricarde estate, but the country adjoining, made it evident that something must be done at once if the law of the land was to run its course, and if the unfortunate people who were obliged to live under the sway of such an unfathomable mystic were to be saved the necessity of entering upon a terrible struggle with a view to saving themselves from the cruel and unjust attacks of this man. He would not weary the House with tedious repetition of the horrors this man had caused, but he would briefly tell the circumstances upon which he b sed his proposal that the State should compulsorily acquire possession of the property of this nobleman, and, having fully redeemed his interest, allow him to betake himself to some more congenial corner of the world where his extraordinary talents and unnatural activities might be more fully appreciated. The late Prime Minister, in discussing the Town Tenants Bill, said—

> "Here you are now. Lord Clanricarde is your classic type of Irish landlord; why don't you bring in a Bill specially dealing with his case."

In accepting the challenge he felt certain that he could rely on the right hon. Gentleman's support and influence in carrying this Peace Preservation Bill into law. In the House and out of it he had never met a man who defended generally the character of Lord Clanricarde. In Ireland he was hated by his own class, for he had brought more trouble and misfortune upon them than all the agrarian movements of the past thirty years. By his tenants and the country generally he was hated and abominated, yet tolerated, and wholly against his will he had ever been the pioneer and promoter of strenuous agrarian agitation leading up to useful remedial legislation. To the Government of the day, Tory and Liberal alike, he had always proved himself to be a bugbear and a standing menace to the peace, good order, and government of the country. Since his father's death in 1873 he had been a cruel and constant scourge over some 56,000 acres of land, including the town of Loughrea and other towns which were absolutely cursed by his ownership. During that long period of years his career had been distinguished by misery, wretchedness, and bloodshed. Of all the landlords of Ireland he had been the most callous and heartless. One of his agents, the ill-fated Mr. Joyce, protested against the cruel and abominable things he was made to do, and in a subsequent trial which he was obliged to enter into in order to clear his name from the foul stigma which his employer sought to affix to it, he showed up the infamies of which he was sought to be made the tool. This noble landlord had never visited his property since his advent to the title except on one occasion when he paid a flying visit to bury his father. He subsequently visited Ireland when he appeared in Dublin to defend the libel action instituted by his agent Mr. Joyce. He would pass over Lord Clanricarde's exceptionally brutal treatment of Loughrea and district; the princely mansion begun by his father but unfinished; the town hall of Loughrea closed in the faces of the people except when let for hire; the town commissioners established by his father, with a grant of £75 a year, now left in poverty through his withdrawing the grant made for its sustenance; and the brewery established by his father which he had closed down. He came to the circumstances connected with the evictions on the property. Between 1879 and 1882, 239 families were turned adrift and were now wandering about. Those evictions were so harsh and cruel that the Chief Baron of Ireland, who presided at the Joyce trial, declared that they were cruel and abominable, and in scathing terms denounced the action of Lord Clanricarde in expelling his tenants from their humble homes, while the jury marked their sense of the cruel wrong done to the people by awarding exemplary damages. The nefarious eviction of Mr. Martin Ward was still fresh in the minds of everyone. Even Lord Clanricarde himself, bad as he was, had never been guilty of conduct more monstrous and inexcusable. Mr. Ward, who was a prosperous trader in Loughrea, became secretary of the political organisation in the district. This exercise of his legal right infuriated the agent, who wrote the now famous letter which was without precedent even in the annals of Irish landlordism. The trader had since been deprived of his valuable property, and was now a ruined man, living in a cold out-of-the-way corner of the town in the hope that his fellow-countrymen would ere long provide him with a place of business to commence life anew. The last reason he would give as justifying the intervention of the House was the unfortunate and lamentable state of things which existed all over the property. At the present moment Lord Clanricarde threatened to destroy the homes of a large number of his tenants by similar rapacity and injustice to that inflicted on Mr. Ward. At a time when nearly every landlord in Galway was endeavouring to do his duty by the people and put into operation the provisions of the Land Act, the most noble the Marquess of Clanricarde was issuing processes and ejectments and preparing the way hard and fast for a new eviction campaign.

*Mr. SPEAKER reminded the hon. Member that he had exhausted the ten minutes which was the time permitted for such a Motion.

Mr. DUFFY said he would read the names of the hon. Members on the back of the Bill and appeal to the House to come to the assistance of a body of people in the West of Ireland who had done no wrong, and who, if given the opportunity of acting their part in future, would prove as sound, honest, and faithful as any to be found in any part of the world.

*Mr SPEAKER: When leave has been given to bring in the Bill I will ask the hon. Member to read the names of the hon. Members on the back of it.

Motion made and Question proposed, "That leave be given to bring in a Bill to provide for the expropriation of the Marquess of Clanricarde from his Irish Estates."—(*Mr. Duffy.*)

The PRIME MINISTER and FIRST LORD of the TREASURY (Sir H. Campbell-Bannerman, Stirling Burghs): I shall simply interpose with a very few words on this question. The first thing I wish to do is to compliment the hon. Member on the temperate, earnest, and effective way in which he has presented his case. There is a strong humorous element in this matter no doubt, but there is a serious element also. I do not suppose that the most extreme advocate of the rights of property that this House contains can justify for a moment the attitude which this nobleman and landed proprietor has thought fit to assume for many years in the district where his property lies. The relations between him and his tenants, and indeed the whole community, have been such as greatly contribute to disturbing the public peace, and exasperating and envenoming the minds of parties in Ireland. Therefore I say it is a most serious thing, and I am not surprised that the hon. Member should have brought in a Bill which he thinks is the proper way to deal with this matter. Whether there is another side of that question or not, I think that hon. Members in that part of the House, if they could manage to obliterate the Clanricarde case, would lose one of their strongest arguments and their greatest sources of strength in any agitation for a change in the law that they might enter upon. But just at this time, when we are entering, as we think, under the Bill of the right hon. Member for Dover, passed a few years ago, upon a new era—a new agrarian era—in Ireland, it is distressing beyond measure that a great landlord like this should use and abuse his powers in the described by the hon. Member. But the hon. Member has introduced a Bill on the 28th November, and of course, at this time of year it can go no further. If it did go further it would have to be examined by the proper officials of the House, and, being a very peculiar

Bill, directed against the property and interest of a single individual, it would have to undergo a great number of forms which are not necessary in the case of ordinary Public Bills. Therefore there is no chance of its going any further, and, I think, if the House allows the hon. Member to introduce his Bill we shall at least see how such a thing is proposed to be done; at the same time, we shall know that it will go no further and that we do not wish it to go further. On the other hand, those who entertain a strong opinion of the evil which has been done for many years in this unfortunate district in Ireland will have done something, at all events, to express their strong opinion. I think it is a matter for the House to say for itself; but I can only say that I am not surprised at the action taken, and I think the hon. Gentleman has done justice to the subject by the earnestness of his language and the moderation of the statement he has made.

Question put and agreed to.

Bill ordered to brought in by Mr. Duffy, Mr. John Roche, Mr. O'Malley, Mr. Gwynne, Mr. Jeremiah MacVeagh, Sir Alfred Thomas, Mr. Henderson, Mr. Paul, Mr. Lehmann, and Mr. Burt.

CLANRICARDE ESTATES (EXPROPRIATION) BILL.

"To provide for the expropriation of the Marquess of Clanricarde from his Irish Estates," presented accordingly, and read the first time; to be read a second time To-morrow, and to be printed. [Bill 357.]

PLURAL VOTING BILL.

As amended, further considered.

*MR. FELL (Great Yarmouth) in moving to leave out Clause 1, said that as he was prevented yesterday by the closure from moving a new clause of which he had given notice with the view of making the Bill more workable, he would now state some of the views which he had intended to bring before the House, so that the Minister in charge of the Bill might have an opportunity of explaining the effect of the clause. He congratulated the right hon. Gentleman on the manner in which he had carried out the instructions he received from the Cabinet, and on rendering the measure as perfect as possible under those instructions. He held, however, that it was impossible under those instructions to frame a practical working Bill. The first clause provided that an elector registered in more than one constituency should select the constituency in which he decided to vote. He believed there would be over 500,000 electors with plural qualifications whose names would figure on the registers and who would be to all intents and purposes dead. Those who were interested in the conduct of elections knew that one of the main difficulties in preventing personation arose in connection with the question of dead voters whose names appeared on the registers. It would be a hundredfold more difficult to prevent personation in the case of plural voters. Personation agents, registration agents, and others might be aware that people were dead, but none of these people would have any possible means of ascertaining that an elector had selected another constituency as the place where he meant to vote, and, therefore, there would be absolutely no possibility of preventing personation with regard to those plural voters whom he would call "dead electors," In the City of London, out of 30,000 electors, there would probably not be more than 5,000 starred as electors in the constituency. The case of the University constituencies would be still worse, for instead of estimating one to four, there would be very few indeed. He had a University vote himself, but he had left the University long ago and had acquired greater interests in other constituencies, and the University was not likely to be the constituency in which he would record his vote. In these University constituencies three out of four on the register would be dead electors, and the difficulties in such cases would be insuperable. Then with regard to the expenses, taking again the City of London, the candidates there would practically have to pay the expense of canvassing the whole of 30,000 electors, only one in five of whom would vote. And so throughout the country, although there would be fewer electors, instead of the expenses of candidates being reduced, they would be materially increased. The candidates would have to pay for the whole register, although it was what he would call a fraudulent register. He believed it was acknowledged that very few people would of themselves and of their own will make the selection at the time; that the selection would be made for them by the Party agents, so that the expense following thereon would be thrown either on the candidate, or on the organisation committee of the Party to which he belonged, so that instead of reducing the expenses of election contests it would materially increase them. That was a point which ought to weigh with the House in making a change of this kind. The next question was what was called "gerrymandering." Again taking the case of the City of London, there were there at least two Conservatives to one Liberal. An astute Liberal election agent might see that he would score if he could carry the City of London for his Party, and he might make such arrangements as would get all the Liberals with plural votes in the City to select that constituency to vote in. Supposing that there were 10,000 Liberal electors, and 20,000 Conservative, on the election day it might be found that the 10,000 Liberals were starred and very few Conservatives. Of course the Conservatives could not then move to counteract that, and the Liberals would carry the two seats for the City. That was an illustration of the gerrymandering and wire-pulling which would take place all over the country. Another point was that it was not fair to throw on plural voters such a temptation as this clause provided to prevent them voting more than once. Say that an elector resided in one constituency, there would be nobody there either amongst his friends or his Party who would know that he had selected to vote in another constituency. He would probably be put on local committees, asked to attend meetings, requested to put the candidate's card in his window, receive election literature and cards asking him to vote early; and in the morning of the polling day a motor car would drive up to his house to take him to the polling station. The Party canvasser would unknowingly be put in the position of what the French called an *agent provocateur*, and he could not help thinking that in a large number of cases the elector would succumb and go and vote. The elector would not give himself away and confess that he had selected to vote in another constituency, because he liked to be called upon to join the local Party committees and to attend Party demonstrations. That was not a fair strain to put on any man, particularly if he knew that there was no possibility of his being found out. No doubt he would be breaking the law, but he should not be tempted to do so. If this Bill became law there would be petitions for scrutiny of the votes cast in a large number of constituencies, especially in those where the contest had been close. He believed that they should have to come to the proposal frequently made that every man tendering a vote at the poll should make a declaration that he had not voted in any other constituency. On these grounds he moved that the clause be omitted.

SIR D. DIXON (Belfast, N.) seconded.

Amendment proposed to the Bill—

"In page 1, line 5, to leave out Clause 1."—(*Mr. Fell.*)

Question proposed, "That the words 'A person' stand part of the Bill."

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale) said he could not be expected to accept this Motion for the omission of Clause 1, which, of course, contained the whole of the Bill except some subsidiary machinery. He was sorry to hear from the hon. Gentleman that he had created a sort of electoral catacomb, which, according to the hon. Member's description, was teeming with dead electors. The special complaint as to the maximum scale of expenses would be met by an Amendment of which he had given notice on Clause 4. He admitted that it was not wholly satisfactory, but it was a rough and ready method, and it was the best that could be devised. He did not think the Bill would lead to gerrymandering. It was impossible to predict what attitude would be adopted or what course was likely to be taken by the majority of plural voters, and he should think that except in the case of a University the majority of plural voters would like to vote at their own homes, as he would in his own case. The possibilities of gerrymandering were enormously less under his proposals than under any of the alternative proposals of the Opposition. The hon. Member for Yarmouth had drawn a highly coloured picture of what would happen on polling day to the voter who had not selected a place in which to vote. There was going to be a motor car in waiting on the morning of the poll, but any hon. Member who knew anything about electioneering knew that if a voter had been resident in a constituency for any time before the day of the poll he would have been captured by one of the Party agents. The agent would not send a motor car for an elector on the morning of the election unless he had satisfied himself which way he was going to vote. He was only dealing with the case where an elector had a residence in a place, but had a vote elsewhere. He thought hon. Gentlemen would realise that such a voter was not likely to exercise his vote elsewhere or to break the law. The hon. Member seemed to think that voters would be induced by agents to break the law.

*MR. FELL said that his statement was that the agents would have no opportunity of knowing, for the voter would not tell them that he had selected another constituency.

MR. HARCOURT said there were two things which might happen. An agent knowing that a voter had selected might try to induce him to vote in another constituency. If he did that he would be punishable under this Bill. The second possibility was that an innocent agent might induce a man not knowing that he had selected to vote. The agent was not guilty then, and the penalty would not be enforced against the agent at all but against the voter who was guilty. To move the rejection of Clause 1 was practically to move the rejection of the Bill. The hon. Member thought that the Bill would lead to a large increase of scrutinies in regard to men who had innocently voted without the knowledge that they were plural voters. That was not, he thought, likely to be the case, as it was provided that the vote of a man who had voted innocently, without any knowledge that he was a plural voter, should not be deducted, and the experience of scrutinies during the last ten years would not lead ordinary Members of Parliament to enter upon them.

COLONEL KENYON-SLANEY (Shropshire, Newport) believed the measure would lead to a great deal of sharp practice, and to considerable doubt on the part of the innocent voter whether he was quite safe in voting. He was sure that a large class of voters would be deterred from voting in consequence of fear of the operation of the Bill. He asked whether a voter who made no selection for the constituency in which he was registered before the 5th of September and who after that date was put on the register for another constituency and for the first time became a plural voter would be disfranchised unless he made an application to the court.

MR. HARCOURT said that having made no selection, if a voter after the 5th of September become a plural voter he must make an application to the court unless he was aware that he was likely to become a plural voter and made a selection.

COLONEL KENYON-SLANEY: But he is not disfranchised if he does not do that?

MR. HARCOURT: He is not disfranchised, but he is unable to vote in any way in contravention of this Act.

CAPTAIN CRAIG (Down, E.) said it was quite true that the right hon. Gentleman had from time to time met the Opposition when they had objected to certain parts of the Bill, but the broad principle embodied in the first clause had not been dealt with by the right hon. Gentleman. The gravest objection had been taken to that Clause. Men, whether they were thrifty merchants who had saved money, and had acquired property in various parts of the county, or whether they had acquired wealth by succession, were placed at a very great disadvantage as compared with men with only one vote. The right hon. Gentleman had never touched that vital point. He had said that the responsibility rested with every voter to find out in the first instance how many qualifications he had in different parts of the country, and to select before a certain date the constituency in which he would vote. The right hon. Gentleman, however, was placing a penalty on that class of voters. The ordinary voter who was convinced he had only one vote was in a superior position to those who through acquiring property had more than one qualification. That was a most undesirable state of affairs. Although the right hon. Gentleman had removed some of the objectionable features of the clause it was still as objectionable in principle as when the Bill was first introduced. To have determined to hold all the elections on one day would have been a more simple method by which to attain the desired end than the ponderous machinery of the present Bill. Having adopted this clause, the right hon. Gentleman had found it impossible, from its many technicalities, to achieve his object without adding to the multitude of words with which this clause was involved. If he had adopted the simpler plans suggested by the right hon Gentleman the Leader of the Opposition the intricacies and the almost insurmountable difficulties with which they were now face to face would have entirely disappeared. But, as it was, the Opposition must criticise every line of the clause. The vital point to which they objected was the principle of penalising those who were registered in more than one constituency. He thought hon. Members on both sides of the House saw in this clause a very great hardship on those who by in good faith asking for a voting paper at the polling booth committed a crime in the eyes of the right hon Gentleman. That a man who asked innocently for a voting paper should be penalised was a grave flaw in the Bill to which attention had been called repeatedly from the Opposition side of the House, but they had had no assurance from the right hon. Gentleman that he would mitigate the severity of the penalty. It was not too much to say that this matter should receive even at the eleventh hour the earnest consideration of the Government. Another point was the long time which it would take the mass of the public to understand the provisions of the Bill. The man who subscribed to the funds of any political party would be looked after, but others might not know until too late that they had been placed on the register of two constituencies and grave consequences might follow if they tried to vote. There were on the Paper several Amendments, but if they allowed the clause to pass without protest now they might not, owing to the operation of the guillotine, have another chance of discussing the matter. One remarkable feature of the debate had been the fact that whenever Members behind the Front Government Bench got up to take part in the discussion they invariably supported the Amendments moved from the Opposition side. But few Liberal Members had attended to give the House the benefit of their advice, and the right hon. Gentleman in carrying the measure through the House had relied on the votes of those who were not in the House during the debates.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said the right hon. Gentleman had said truly that Clause I was, in effect, the Bill. The subsequent clauses were only concerned with the machinery by which the principles of the Bill were to be carried into effect. He did not suppose that any member of the Government would pretend for a moment that any of the Amendments the Government proposed to introduce into the Bill would mitigate the objections of the Opposition to it. His first cardinal objection to this clause, which embodied all the active principles in the Bill, was that whilst the professed object of its supporters was to equalise voting power, it dealt only with the least of the anomalies that existed, and left absolutely untouched the far greater inequalities caused by a lack of the proper distribution of seats. That, of course, was a big question, and the Government might plead that they could not deal with it at a time like the present. But if they were to deal with this part of the subject only, his first objection was that they made no distinction between the case of the man who had a qualification but no real or practical interest in the public life of a constituency, and the man who had a genuine and real interest in it. He would not attempt to defend the claims of the out-voters or faggot voters who had no real or genuine interest in the places where they had a qualification, but he strongly objected to the refusal of the Government to entertain any claim on behalf of men who had a real and genuine interest in more than one place, and who might be, and in fact, often were, active in the public work of two constituencies, and were perhaps themselves the source of a great part of the prosperity upon which those constituencies depended. He objected, further, to the unnecessary obstacles and impediments which were placed in the way of a man who had more than one qualification exercising even a single vote. Both the First Commissioner of Works and the Chancellor of the Exchequer had spoken of it as though it were an ordinary duty of citizenship that the plural voter should take active steps to secure the right to vote. The moment it was shown that the poor man would in many cases run the risk of being disfranchised he observed that the Government showed a greater tenderness, but he thought the hardship was the same whether the man was rich or poor. The object of the Government ought to be to facilitate the exercise of the right to vote by any properly qualified voter, and not to place new obstacles in the way of those who always had been qualified. What was the object of insisting, as this clause did, that not only should a man under no circumstances vote twice, but that he should not vote at all, though possessing two qualifications, if he did not before the 5th September indicate of which of those two he meant he avail himself? The attempts to defend this provision had been of the flimsiest. There had been hardly any serious effort to show that it was necessary for any object which the Government had in view. The Government said in the course of the Committee discussion that it was required in order to show when a register came into force who was and who was not qualified to vote. The bottom was knocked out of that argument yesterday by the First Commissioner of Works when he said it would be impossible under this Bill to have a clean register. The only reason which the Government had put forward for insisting upon this prior selection by the voter had broken down in the course of discussion, and the prior selection itself now stood wholly without justification if the object of the Government were merely to prevent a man voting twice. The Government had still the opportunity to omit this provision and to allow a man to make a selection at any time. If their object was only to prevent a man voting twice it would be attained just the same. If the object of the Government was to make it difficult for voters who had more than one qualification to vote at all, then, of course, they would resist any proposal to alter this provision. On the ground that the clause put unnecessary obstacles in the way of a man voting once, apart from other grounds, he should continue his opposition to the clause in the form in which it now stood. There was another objection to the clause. It introduced a most complicated procedure into the electoral system. It was left to Party agents and Party candidates to provide for the whole of the new work necessitated by this measure and to bear the cost of carrying it out. They were agreed, he thought, that elections were already sufficiently costly to candidates, and he was surprised that one of the first measures of a House of Commons which he thought was already prepared to favour a subsidy to Members to meet their election expenses as well as the payment of official expenses out of public funds, should be one which would enormously increase the expenditure incurred by candidates and Members, and, which, at the same time, would magnify the part played in our electoral system by Party agents and the experts in the machinery of elections to the detriment of the truest expression of the interests of the constituency and the country.

SIR FREDERICK BANBURY (City of London) supported the Amendment. He objected to the principle contained in the clause for two reasons—first, because he saw no reason why the man who happened to have two qualifications should not have two votes; and, secondly, because he believed that the method chosen to bring about the result aimed at was extremely cumbrous, and would result in a man who had two qualifications finding in many cases that he had no vote at all. He could conceive no reason why a man who resided or had business premises in any given constituency in which he paid rates and taxes should not have a voice in the selection of the person who was to represent him in this House. The Government might think that there should be equal electoral rights, one man one vote, and one vote one value, but the right hon. Gentleman had not taken any steps to ensure that. The fact that a man had been able to secure more than one qualification was *prima facie* evidence that he was a good citizen and was able to give as good a vote as the man who through no fault of his own—he having less brains perhaps—had not been able to secure a second qualification. Why had the right hon. Gentleman departed from the precedent which had always been followed, so far as he knew, with any Reform Bill? Whenever any change had been made in the franchise it had always been followed by a dissolution. [AN HON. MEMBER: The ballot.] The ballot was merely a change in the method of recording the votes, and not a change in the franchise at all. When they altered the franchise in the way proposed by this Bill the House would not truly represent the great body of the electors. The Bill affected those who had gained for themselves a position in the country, and it had been left to hon. Gentlemen opposite to cast to the winds the old Liberal doctrine that taxation and representation should go together. The primary object of an elector was to return as good a Member and as good a House as could be obtained. Were they likely to improve the House of Commons by abolishing plural voting? Plural voters would cease to take an interest in politics, because they would run the risk of getting two years hard labour, and they might have to go to the police court to find out where they could vote. The result might be that they would get to the state of things which existed in America where the more intellectual section of the community washed their hands of politics altogether. The original Bill contained about sixty-seven lines, but no less than 117 lines were added during the Report stage. The manner in which the abolition of plural voting was to be carried out was very complicated, and would cause great trouble and disturbance. That could not possibly be denied. It might have been enacted that no man should be allowed to vote twice, but the Government refused to do that. A very large number of people would be in ignorance as to whether they had one or two votes. They would not be aware of the exact formalities they had to go through, with the result that they would do nothing, and would be disfranchised. The right hon. Gentleman had said that if an agent knowingly persuaded a man to vote twice he could be proceeded against, but how were they going to prove that the agent acted knowingly? The Bill was full of all sorts of legal formalities and difficulties in the way of a man exercising the first right of citizenship. He often found that people did not attach as much importance to the fact that they had a vote as they ought to do, and he was afraid this Bill would increase their apathy. He recognised that it would be impossible for the right hon. Gentleman to make any concessions upon this clause. It was claimed that the object of the Bill was to abolish plural voting, but he thought the idea was to prevent anyone with property from voting at all. Under these circumstances he hoped his hon. friend would go to a division, and all right thinking men who desired to preserve just rights for all citizens ought to support him in the division lobby.

MR. J. F. MASON (Windsor) said this Bill threw upon the voter the obligation of finding out whether he was on the register for more than one constituency. Up to the day before the last election he did not know that he had two votes himself. The difficulty would arise more in the case of lodger voters. He was aware that the right hon. Gentleman had raised an objection to throwing upon those in charge of registration work the duty of advising new voters that they were plural voters. That difficulty might be overcome if the registration clerks advised the new voters who were not on the previous register. Every plural voter would then get a notice from each constituency in which he was registered, and that would draw his attention to the fact that he had more than one vote. He could then take immediate action to secure his right to vote.

MR. HICKS BEACH (Gloucestershire, Tewkesbury) said he joined with his hon. friends in strongly objecting to this clause. The Government could not pretend that they got a mandate at the last election to bring in a Bill of this kind. He ventured to say that in not one constituency out of fifty was the question of plural voting mentioned. [Cries of "Oh."] He knew that in the division with which he was connected the question was not discussed at all. He objected to the clause because the right hon. Gentleman had taken a very roundabout way of carrying out the purpose he had in view. He might have brought in a Bill providing that all elections should be fought on one day. That was a principle which had many supporters on both sides of the House, and it was one to which not many objections of great weight could be stated. He also objected to the clause because it would have the effect of keeping away from the poll a great many people who were entitled to vote. There were a large number of voters who were always very timid about going to the poll at all, and when they were told that if they voted or attempted to vote, thinking that they had only one qualification, and then it was found they had more, they would render themselves liable to a penalty, they would not vote at all. He objected to the clause because it would largely increase the power of election agents. There were on the register now a large number of people who thought that their names had been taken off, but in future it would be the object of the Party agents not to remove their opponents' names from the register. It would be their object to keep on the register people who ought to come off. It would be to their advantage to keep lists of those people who were on the register, and who thought they were not, and to send the lists to Party agents in other divisions where the people resided. The Party agent could then go to an elector and point out to him that he had a qualification somewhere else, and that if he went to the poll he would do so knowing that he was committing a breach of the law. The Bill would lead to a very great increase of political machinations. At present in cities which had a number of electoral divisions, voters who had qualifications in more than one division selected that in which his vote was most useful to the Party to which he belonged. It seemed to him if this Bill were passed there would be general associations of agents meeting to discuss among themselves where they would prefer certain electors to vote. In that way it was quite possible that in a few years they might have the appalling result of two Liberal Members representing the City of London.

MR. STANLEY WILSON (Yorkshire, E.R., Holderness) said he could not agree that the Government had rushed into this measure without knowing in the slightest degree what they were doing. They knew perfectly well what they were doing. They knew they were going to disqualify many of their political opponents. That was their principal object. In spite of all the Amendments the right hon. Gentleman had accepted, he objected as much as ever to the Bill. It was absolutely unworkable. Why could not the Government, if they wished to establish the principle of one man one vote, bring in a simple measure of one clause of five or six lines, instead of having one of the most complicated measures ever introduced dealing with registration? The clause would impose a great additional burden upon the shoulders of political agents, and throw heavy additional expenses upon unfortunate Parliamentary candidates. The right hon. Member for East Worcestershire had said that the right hon. Gentleman had always been in favour of decreasing instead of increasing Parliamentary election expenses. He agreed, but why had the Party opposite brought in a Bill which instead of decreasing these election expenses would have the effect of considerably increasing them? There was one aim and object of the Bill, and one only. It was to disqualify, if possible, the owner of property. Why was it? It was because the majority of such owners were supporters of the Party sitting on the Opposition benches.

For that reason, he should vote against the clause.

*Mr. S. COLLINS (Lambeth, Kennington) repudiated the assertion that the question of plural voting had not come before the electors at the last general election. In his own constituency he had strongly urged the abolition of plural voting; and he believed that nearly all Liberal candidates had also advocated it. His own opinion was that the Government had let the plural voter down very gently. They had all heard of the absent-minded beggar, and if they might form an opinion from the speeches of hon. Members on the Opposition side of the House the plural voter must be a very absent-minded person indeed. He thought the Government must have had the hon. Baronet the Member for the City of London in their mind when they brought in the Bill. They rejected the residential qualification and provided for a selection of constituency probably because they wanted to retain the services of the hon. Baronet. He strongly maintained that the question of plural voting was one of the principal planks in the platform of Liberal candidates at the last election.

Mr. VICTOR CAVENDISH (Derbyshire, W.) said he agreed to a certain extent with the hon. Member for the Kennington Division as to the question of "one man one vote" having been one of the reforms put before the electors by some hon. Members at the last general election, and that the Government had felt themselves bound to translate into an Act of Parliament pledges which otherwise might be regarded as a very satisfactory electioneering dodge. He thought they could commiserate with hon. Gentlemen opposite in having to go through political penances in the effort to translate their platform promises into Acts of Parliament. He wished to ask the First Commissioner of Works whether there was anything in the provisions of the Bill to meet the point put by his hon. friend the Member for the Tewkesbury Division. He himself at the last election tried to get all the voters who had left his constituency to come back and record their votes. That was a reasonable and justifiable thing to do. He wrote to several gentlemen and they all declared that they ought not to be on the register. But they were then and were still on the register. After the passing of this Bill, if they neglected to have their names struck off the list those men would be absolutely disfranchised. The right hon. Gentleman had said that that was not intended. He did not know whether there was any means of removing the names from the register. Another objection to this clause was that it would lead to an immense amount of log-rolling and the creation of political machinery which was undesirable. He confessed that he himself possessed three faggot votes, and it was obvious that under this clause he would have to give them up. But no doubt he would find some persons who were not possessed of a vote to whom he could hand them over. If that could be done in the case of a small estate it was bound to be done in big cases. That would lead to an immense amount of political contriving which it had been the object of both political Parties to avoid in the past. However useful the Bill might be as a Party cry, he thought that the discussions had shown that it was unworkable, cumbrous, and useless. He appealed to the Government at the last moment to attempt to transform the Bill into a more workmanlike measure.

Mr. HARCOURT said that with the permission of the House he would like to reply to a question put by the hon. Member for Tewkesbury. That hon. Gentleman had asked what would happen if a voter, not knowing that he was on more than one register, went to the poll and voted without having made a selection. The elector did not knowingly contravene the Act when he voted, and therefore he would not be liable to any penalty or to proceedings being taken against him. There was the other alternative that if he discovered a few days before the poll that he had a dual qualification he had an easy method of making his selection effectual. In no case would he be disfranchised.

SIR **WILLIAM BULL** (Hammersmith) thought that the object which the Government said they wished to attain could have been secured by a much simpler method than that embodied in this clause. He could think of nothing more cumbrous. To have taken all the elections on one day would have practically effected the object in view. He firmly believed that if the Bill became law on its present lines, an amending Bill would have to be brought in as soon as possible to meet the points which had not been fully discussed. In theory the machinery provided by the Bill hung well together, but he was perfectly certain that in practice it would work out entirely differently from what the right hon. Gentleman expected. It would result in an immense amount of wire-pulling and gerrymandering, and there would be squabbling amongst political agents as to where a particular contest should take place. The expense, too, would be very great indeed. He doubted whether the right hon. Gentleman was right in thinking there would not be many cases where persons had to go to the Court. The recent "latch-key" decision had led in his own constituency to an additional cost of £55 for registration; and it could be imagined how registration expenses would be increased all over the country.

MR. **T. L. CORBETT** (Down, N.) said that he unexpectedly found himself a few years ago in the position of being a plural voter. He was a voter in London and only discovered by having a polling card sent to him that he was a voter in Essex. As his hon. friend had pointed out very clearly, the opposition agent might come to him the day before the poll at an election and say that, as he was on two registers and he could not then make a selection, he could not give a vote at all. That was one of the most effective points against the Bill. [Ironical MINISTERIAL laughter.] It came very ill from hon. Members opposite to jeer at the very clear case which had been put by the hon. Gentleman who moved the Amendment and which the right hon. Gentleman himself would acknowledge involved a real injustice. The case was where a man found himself unexpectedly on two registers.

*MR. **SPEAKER**: The hon. Member is not entitled to repeat his argument.

MR. **T. L. CORBETT** said he thought hon. Gentlemen opposite had not appreciated his argument. It was very clear, it seemed to him, that where a man unexpectedly found that he was entitled to two votes it would be very hard if the agent of the opposite Party——

*MR. **SPEAKER**: Order, order! The hon. Gentleman is repeating almost verbatim what he has already said, and is, therefore, violating the rule against needless repetition.

Question put.

The House divided:—Ayes, 336; Noes, 74. (Division List No. 444.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. HerbertHenry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W.(T'w'r'H'mlets,S.Geo.
Bennett, E. N.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'rd
Billson, Alfred
Birrell, Rt Hon. Augustine
Black, ArthurW.(Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Bryce, Rt.Hn.Jas. (Aberdeen)
Bryce, J. A. (Inverness Burghs)
Burke, E. Haviland
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas

Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H(Sussex, E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan (Cardigan)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman(Somerset,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lea, HughCecil(St.Pancras, E.)
Leese, SirJosephF.(Accrington)
Lever, A. Levy(Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah(Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morley, Rt. Hon. John
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robt. John (Norfolk, E.)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T.F.(Wolverh'mpt'n.
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)

Scott, A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A.(Glamorgan, E.)
Thomas, David Alfred(Merthyr)
Thomasson, Franklin
Thompson, J.W.H.(Somerset, E.
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth(
Wilson, Hn. C.H.W.(Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anstruther-Gray, Major
Ashley, W. W.
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach, Hn. Michael HughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt.Hn. Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.HnJ.A.(Worc.
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dixon, Sir Daniel
Dixon-Hartland, SirFredDixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robert (Lanark, Gov'n
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Hamilton, Marquess of
Hervey, F.W.F.(BuryS.Edmds.
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir JohnH.
Kenyon-Slaney, Rt. Hn.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee, ArthurH.(Hants., Fareh'm
Lockwood, Rt.Hn.Lt.-Col.A.R.
Londsale, John Brownlee
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Nield, Herbert
Pease, HerbertPike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Ratcliff, Major R. F.
Remnant, James Farquharson
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Sassoon, Sir Edward Albert
Smith, AbelH.(Hertford, East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Stone, Sir Benjamin
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Turnour, Viscount
Warde, Col. C. E. (Kent, Mid)
Wilson, A.Stanley(York, E.R.)
Wortley, Rt. Hon. C. B. Stuart
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Lord Balcarres.

MR. FELL moved to insert before the word "person" the word "lawfully," which would make the clause apply only to an elector "lawfully" registered. He could not conceive that there would be any objection to the Amendment.

SIR FREDERICK BANBURY, in seconding, said the Amendment was designed to meet the case of a man who was on two registers but was only entitled to be on one. A man might leave one constituency and go to another and not satisfy the overseers that he had left, and it was nobody's interest to take him off the list. Therefore he would remain on the register for the residence he had left, say, at Yarmouth, and would be unable to vote in another place, say in Middlesex, to which he had moved. The Amendment seemed a simple way out of the difficulty. He did not think the right hon. Gentleman's new clause would meet the point, and enable a man to vote in another constituency if he were on the register for the place he had left. It would be very difficult for an elector to inquire into the matter.

Amendment proposed to the Bill—

"In page 1, line 5, after the word 'person' to insert the word 'lawfully.'"—(*Mr. Fell.*)

Question proposed, "That the word 'lawfully' be there inserted in the Bill."

MR. HARCOURT said he should not think of arguing that his new clause met a point which it was not necessary to meet. It was assumed that a man who was on the register was lawfully entitled to vote, although there were certain exceptions made, such as aliens, lunatics, peers, and women. It seemed to him that if this word were inserted the only effect would be that the alien or the lunatic who managed to get on a number of different registers would get an opportunity of voting. The word was absolutely unnecessary.

Question put, and negatived.

MR. COURTHOPE (Sussex, Rye) moved an Amendment restricting the application of the Bill to persons registered "for the first time after the passing of this Act" in more than one constituency. He said his object was to to take away from the Bill what he might call its retrospective nature—to obviate the destruction of existing electoral rights. He thought it would be much more reasonable to say to an elector who, subsequently to the passing of the Act, obtained a second qualification, "You shall not obtain a right to a second vote," but to destroy an existing right and take from him what he now enjoyed, owing to no fault of his own, and to impose upon him responsibilities and liabilities by virtue of what up to the present had merely been a right and a privilege, was a manifest injustice. It was not as if this Bill were proposing to carry out a great electoral reform. They were not reforming the system; they were not establishing the principle of one man one vote or of one vote one value; they were not doing away with the property qualification and making the electoral qualification one of manhood or of womanhood or of both; and until and unless a measure was introduced doing away with all anomalies instead of only one anomaly in our electoral system it was manifestly preferable that the rights at present enjoyed should be maintained. The Bill did away with one anomaly and one only. It attacked the position of one class of voter and one class only. He thought that to rob the voter of the right he now enjoyed and to place him in a distinctly worse position than a man who had only one qualification was an injustice which ought not to be inflicted upon those who already possessed more than one vote. Another point in support of his Amendment was that the Bill or anything approaching it was apparently not contemplated before the general election. At all events it was not placed before the country, and the authority of the electors had certainly not been given to such a Bill, and so far as he could gather there was not the slightest intention, if the Bill passed, to go to the country on the subject. He would not argue the precedents of the Reform Bills; they were within everybody's memory, but he held that until the country had expressed a desire to give authority to the Government to do away with exercisable rights under our existing electoral system, the Government of the day should confine their measures to rights acquired in the future. The right hon. Gentleman in charge of the Bill had told them over and over again that this was not a disfranchising Bill. But although it was not a disfranchising Bill, in certain circumstances which would constantly arise it would say to a man, "Although you are not disfranchised you may not vote, or you may not vote without incurring very grave penalties." That to his mind was very much the same as saying to a man, "You are temporarily disfranchised for the purposes of this election." If the right hon. Gentleman was sincere in saying that the Bill would not have a disfranchising effect he could easily carry out that intention by confining its provisions to future qualifications. He hoped the right hon. Gentleman would not, because they raised this point, accuse him or his hon. friends of ingratitude for the concessions they had received. He thoroughly recognised and appreciated the efforts which the right hon. Gentleman had made to which attention had been drawn to meet difficulties.

But this was a question of principle, and on that question the right hon. Gentleman and his colleagues had not given way one inch. He thought he was justified in urging the House seriously to consider the question of what he might call the retrospective nature of the Bill, which inflicted an injustice on existing plural voters by robbing them of rights they at present enjoyed and, in addition, placing upon their shoulders the burden of new responsibilities.

Amendment proposed to the Bill—

"In page 1, line 5, after the word 'registered' to insert the words 'for the first time after the passing of this Act.'"—(*Mr. Courthope.*)

Question proposed, "That those words be there inserted in the Bill."

MR. HARCOURT said the Amendment applied the provisions of the Bill only to new voters who came on the register as pluralists after the passing of this Bill. That, of course, would cut out all the plural voters who existed at this moment, to whom the hon. Member did not wish the Bill to apply, but to whom the Government intended it should apply. It was not the first time this change had been advocated. It was discussed in Committee, but as he (Mr. Harcourt) then pointed out, this was not a franchise, but a machinery Bill, and therefore the saving clauses sought to be inserted were not applicable. Even if the procedure were acceptable to the Government, it would be practically impossible to give effect to it. How was it to be shown on the register year after year who were pluralists at the date of the passing of the Bill? They would have to maintain a list for an entirely new class of voters, namely, those who had been pluralists before the passing of the Act. The ambiguity of the language of the Amendment it was not necessary to discuss in detail, because by this time the hon. Member would have appreciated the fact that he did not intend to accept it. As the hon. Member had stated, this was a question of principle, and although the Government had been anxious to meet hon. Members opposite in all matters of machinery, they had no intention of giving up the principle of the Bill.

MR. AUSTEN CHAMBERLAIN said that having just stated that he did not intend to give any concession to the Opposition or to make any attempt to meet their wishes on the question of principle, the right hon. Gentleman ought not to be surprised if in their turn the Opposition felt obliged to press these points again and again upon the House. The right hon. Gentleman had with his tact and good temper done wonders in the way in which he had pioneered this Bill through the House. But by calling it a machinery Bill could not make it otherwise than it was. It was not a franchise Bill; it was a disfranchising Bill, and the appeal the Opposition now made was that this disfranchising provision should be established only with regard to future qualifications, leaving any man now on the register his existing right to vote. It was easy for a Minister to criticise the phrasing of an Amendment drawn by a private Member without the expert assistance of the Government draughtsman, but if the principle were accepted it would be easy for the right hon. Gentleman to put the words into a more satisfactory shape. All he understood his hon. friend to desire was to preserve to the existing owner of a double qualification his right to vote. The right hon. Gentleman said that the proposal in any shape was impracticable; he himself did not think so. But would this Bill work? Did the right hon. Gentleman really think he had really produced a workable measure? He would be sorry to say anything that would cast even a moment's gloom over the right hon. Gentleman's satisfaction at his first Parliamentary bantling, but if the Bill was read with the proposed machinery hon. Members would agree that it was the sort of Bill that one might expect to be passed by a local debating society but never by this House.

Question put.

The House divided:—Ayes, 76; Noes 357. (Division List No. 445.)

AYES.

Acland-Hood, Rt.Hn.Sir Alex F.
Anstruther-Gray, Major
Ashley, W. W.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(City Lond.
Banner, John S. Harmood-
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt.Hn.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Dixon, Sir Daniel
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robt. (Lanark, Govan)
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hervey, F.W.F.(Bury S.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt.Hn.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Lee, Arthur H.(Hants., Fareh'm
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Nield, Herbert
Parkes, Ebenezer
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Ratcliff, Major R. F.
Remnant, James Farquharson
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Sassoon, Sir Edward Albert
Smith, Abel H. (Hertford, East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark)
Tuke, Sir John Batty
Turnour, Viscount
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr. Courthope and Sir Frederick Banbury.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W.(T'w'rH'mlets, S.Geo.)
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J.H.(Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt. Hn. Sir J.T.(Ches.)
Bryce, Rt.Hn.James (Aberdeen)
Bryce, J.A.(Inverness Burghs)
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt.Hn.Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm.J.(S.Pancras, W.
Condon, Thomas Joseph
Corbett, C.H.(Sussex, E Grinstd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co.)
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.

Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir(MerthyrTydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M.(Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(SomersetN.)
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G.(Leominster)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal W.)
Layland-Barratt, Francis
Lea, HughCecil(St.Pancras, E.)
Leese,Sir JosephF.(Accrington)
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald,J.M.(Falkirk B'ghs)
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly,James(RoscommonN.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs, Leek)
Pearce, William (Limehouse)
Philipps,Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh,Central)
Price,Robt. John (Norfolk, E.)
Priestley,W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards,T.F.(Wolverh'mpt'n)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt.Hn. E. (Dundee)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw,Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hon.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan,E.)
Thomas,David Alfred (Merthyr
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E.
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J
Walker, H. de R. (Leicester)
Walsh, Stephen

Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W. Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. C.H.W.(Hull,W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. COURTHOPE moved to insert after "Parliamentary elector" the words "in respect of ownership," with the view of confining the scope of the clause to qualification founded on ownership. As in the last case, he did not in the least anticipate that the Government would give way on this point, but he felt it was incumbent upon him to press it, because he thought the Bill, without some such Amendment as this, would produce a very great anomaly which went against many cherished ideas of our constitutional system as regarded the electoral basis on which our elections were run. The effect would be that a person who had a stake in the country by way of property in a different place from that where he had a stake in respect of residence or occupation would not by this Bill be deprived of the right of exercising one vote in respect of that property. The Amendment was in the interests of a very large and important class of business men, traders, manufacturers, and so on, who had very large stakes in the country apart and very often long distances from their residences. It seemed strange that men who were in many cases the largest taxpayers and ratepayers in a district, who owned the most important interests there, should be deprived of their right to a voice in the representation of that district unless they sacrificed their right to vote on their residential qualification. It would be different if Parliament were reforming the electoral basis, but they were not. They still said that because a man owned property of a certain value, he had a qualification, and because he occupied property of a certain value he also had a qualification, and yet when he had both these qualifications he had to select one of them. He did not think that was reasonable. It might be reasonable to say if a man had a property qualification he should only have one vote in that respect. He would still be entitled to some representation for the property he had at stake in the country; but as the Bill stood now he had to lose one or the other. He would be able to vote in respect of the property he owned or in respect of the property he occupied. That was illogical and unreasonable. He hoped the House would give this matter consideration. He knew quite well that it was brought up in Committee and rejected, but he did not entirely despair that the right hon. Gentleman might find it possible to adopt this or some similar Amendment.

MR. STANLEY WILSON seconded.

Amendment proposed to the Bill—

"In page 1, line 5, after the word 'elector' to insert the words 'in respect of ownership.'"—(*Mr. Courthope.*)

Question proposed, "That those words be there inserted in the Bill."

MR. HARCOURT said this was a proposal which he could not accept, as the Bill was directed against plural voting generally, and not merely plural voting which arose from ownership. The object of the Bill was to put an end to plural voting, no matter from what source the qualifications were derived. The anxiety of the Opposition for the plural voter was apparently concerned more with the occupation of land than with any other qualification.

MR. AUSTEN CHAMBERLAIN demurred to the statement that the interest of the Opposition in the plural voter was confined to the case in which he was voting in respect of the possession of land. In previous debates he had laid stress on the case of the plural voter who had his business premises in one place and his house in another, it being unnecessary to own land at all. He had always contended that where a man was substantially associated by ownership with the life and welfare of two places it was hard to say that he should not vote for the Member of Parliament for both of these places. His interests in the two localities might be divergent, or of such a nature that representation by a single Member of the House of Commons would be inadequate.

MAJOR SEELY (Liverpool, Abercromby) said the view of the right hon. Gentleman was—one rich man, two votes; one poor man, one vote.

MR. AUSTEN CHAMBERLAIN asked why the hon. Gentleman supposed that everyone who came under the description of owner of property was a rich man? A large number of shopkeepers, who were not rich, would come under this Amendment.

MAJOR SEELY replied that the terms "rich" and "poor" were always used relatively. The right hon. Gentleman proposed that a man who had business premises in one place and resided in another should have two votes. Why did he not propose that a workman who lived in one constituency and worked in another should also have two votes? In truth, residence and manhood were the only proper qualifications for the franchise.

SIR E. CARSON (Dublin University) congratulated the hon. and gallant Gentleman on having broken through the conspiracy of silence entered into by the occupants of the back Ministerial Benches. If every man might vote for the 670 Members of the House of Commons, and there was no question of local interests involved, he would agree that each man ought to have only one vote. But did anyone suppose that local interests had nothing to do with the exercise of the franchise in this country? He instanced the case of Kidderminster, where there was a particular kind of interest which they wished to have represented in the House of Commons. Let some hon. Members opposite go down to Kidderminster and inform the electors that in the interest of equality of votes they ought to have their power taken away, and allow their own local interest to be swamped by a number of farmers who were not interested in the particular industry of Kidderminster. They would then very soon find out what the electors of Kidderminster thought of the right of returning a representative interested in local matters. Was it fair in case an Irishman happened to be living in England and possessed property in Ireland that he should be prevented from having any voice in the selection of the representative of the locality in which his property was situated? The truth of the matter was that in fairness or logic, so long as they recognised that particular districts and particular interests should be represented in this House, they could not argue that voters with interests in two constituencies should vote only in one.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) said there were so many anomalies in connection with the existing state of the law that it was quite refreshing to hear that the right hon. and learned Gentleman had been able to produce an argument in support of what he should have thought was one of its most glaring defects. What was the amazing proposition which his right hon. friend asked the House to adopt? He said that the issue submitted to the electors varied according to the locality in which they resided; that there might be different issues presented in Scotland, the English provinces, and the Metropolitan area, and a voter holding qualifications in all these parts of the country might logically record one vote for a Conservative, another for a Liberal, and a third for a Labour candidate, so that the mere question of local association or locality might be perfectly consistent with those votes which neutralised each other. Was it seriously contended that the issues on which hon. Members were returned to this House were not Imperial issues Was it seriously contended that they varied, having regard to the locality in which the voters were interested?

SIR E. CARSON asked whether the hon. and learned Gentleman meant to say that in a mining district miners, when they voted, were merely moved by Imperial issues.

*Sir JOHN WALTON said they were moved by Imperial issues. He could quite understand that a man might be in favour of a county council of one complexion in one county and of a county council of a different complexion in another county, because he might take the view that politics had no proper place in local government, and that the recognition of political alliances by those who managed local affairs was a disturbing and not a moderating and legitimate influence. But when they came to consider the issue on which an appeal was being made to the country by the Government responsible for that appeal, was there anybody who said that a voter would be justified, when discharging his duty as a citizen, in disregarding the grounds on which the appeal was made, putting the Imperial issue aside, and exercising the franchise having regard to some small and petty question connected with his own trade? He did not say that such conduct did not take place, because men were influenced by such considerations, but he did say that it was not legitimate. Let them take those public spirited gentlemen who occupied the imagination of his right hon. and learned friend. A man in Durham would cast, say, a Conservative vote and send a Member to Parliament to support the Conservative Party and to use his utmost influence in defeating Liberal measures; but the same man voting in Yorkshire where no disturbing colliery interest came into play, would have regard to the bearing of the Imperial issue and cast his vote for the Liberal.

Sir E. CARSON: That is not my argument.

*Sir JOHN WALTON said he understood the right hon. and learned Gentleman to say that a man might advance in one county principles which in another county he had been opposing. That reduced the whole system of the constitution to confusion. The right hon. and learned Gentleman might mean that there were men who would sacrifice the Imperial issue on which they were invited to vote, because they desired that some small trade issue should be pressed at the expense of the community of which they formed a part. The position of such an elector would be difficult to defend, and he ought not to be protected by the provisions of our legislation. Whatever might be said in favour of plural voting, it was pretty clear that it was not defensible on the ground that a person with four qualifications should exercise his vote from Imperial considerations in one constituency and from merely local considerations in another. The issue to be considered was the same whatever the locality, and he wished to protest against the argument that a plurality of votes was defensible on the ground that the possessor of them was morally justified in voting in favour of one set of principles and one body of statesmen in one constituency and against the same principles and statesmen in another.

Mr. MITCHELL-THOMSON (Lanark, N.W.) said the hon. and learned Gentleman had set up a man of straw for the purpose of demolishing him. They all knew that in different constituencies different questions were thrown into greater or less relief. Would hon. Gentlemen opposite deny that? The thing had been proved over and over again this session by the fact that hon. Gentlemen opposite had in all sincerity got up in their places and assured the House in regard to half a dozen questions that they had received a special mandate from the constituencies. In some parts of the country the issue was said to have been Chinese labour, while in other parts it was contended that the chief question was Home Rule or education. The representation of the locality was a most important factor in the political composition of the House. Their chief complaint against this Bill was that for the first time in the history of the country the Government said there should be taxation without representation.

Mr. MOND (Chester) pointed out that Imperial taxation was one thing and local taxation another. The fact that a man owned shares on which he paid Imperial tax in London, and that he had property in Wales and in other parts of the country on which he paid land tax, did not make him an Imperial taxpayer more than once. Right hon. and hon. Gentlemen on the Opposition Benches were confusing local and Imperial taxation. The Ex-Chancellor of the Exchequer had pleaded for local interest, and the right hon. the Ex-Solicitor-General had urged that the man with two votes would be able to give one for the Empire, and the other for the carpet factory, the hardware warehouse, or the sausage shop. Who talked now about the village pump? Where was the Party with Imperial aims? Where were the Little Englanders? They were not on the Ministerial side of the House. The argument of his hon. friend the Member for Abercromby that work was of more importance than wealth had been misunderstood. He only referred to the case of a man who worked in one place, and lived in another; and it had been overlooked that a man could only vote once in a borough election, although that division might be divided into several constituencies, and he had property in each. Hon. Gentlemen on the Opposition Benches were fighting very hard to retain some of their most cherished privileges.

LORD R. CECIL (Marylebone, E.) said that they were greatly indebted to hon. Gentlemen for having raised this question which was of more than passing interest. It was for hon. Members to consider whether they desired to reduce the House of Commons to a condition which would encourage the Government to resort to the guillotine on every possible occasion. The Amendment was of great interest from a constitutional point of view. The Attorney-General's proposition was that every voter at an election voted on what he called an Imperial issue. That was an imaginary issue. He thought it would puzzle the hon. and learned Gentleman to say what an Imperial issue was.

MR. MOND: Free trade.

SIR JOHN WALTON said that he did not mean Imperial in the sense of something which affected the Empire as a whole, but Imperial as distinguished from local.

LORD R. CECIL said it could not be alleged that there was a definite Imperial issue submitted to the country at every general election. It must be a mixed issue of Imperial and local questions. The point the elector would consider was whether he should vote for a Labour candidate, a Liberal candidate, a Tory candidate, or a Nationalist candidate. But there was also the consideration of the personality of the candidate, and whether he would in fact represent the constituency from a larger and Imperial point of view. He thought that electors were well advised when they gave due weight to a man who had lived his life in the locality, and whose character they admired, who stood against a gentleman from London, sent down by the Party organisation, having no interest in the locality, who might be a fluent and ready speaker, but who, in fact, was a "carpet-bagger." If that were so, it was right that the House should preserve the element of locality in the representation of the country. That argument seemed to him to be unanswerable, and the moment the element of locality was admitted, it was likewise admitted that the principle of this Bill was wrong. The hon. and gallant Member for the Abercromby division had used an argument likely to attract a great deal of popular sympathy, viz., that they on the Opposition side of the House were striving to preserve the privilege of the rich as against the poor. Of course, that was the stock in trade of hon. Gentlemen opposite. It was said that the Liberal candidate at Huddersfield was the friend of the poor, and that the Tory and Labour candidates were not. They were not now remodelling the franchise legislation of the country. He had protested constantly against these miserable efforts to alter one feature of it which had been a disadvantage to one party—to deal with one anomaly, without dealing with other anomalies. The question he had to consider was whether within the limits of this Bill they were going to say that the element of locality should have no influence. It might be that in asserting the principle of locality they would in fact do more good to the rich than to the poor; but that was not their fault. Their desire was simply to enforce the principle of locality. If the hon. Member for the Abercromby division introduced a Bill to give an extra vote to the working man who lived away from his work, he would give it his impartial consideration. He saw a great deal to recommend it on principle, but until he had such a Bill in print before him he should hesitate to say how it could be carried out. It was not because plural votes were held by the richer classes that they wished to retain them, but because they were genuinely anxious to preserve, if they could, the element of locality on which hitherto our electoral system had been founded. He had no hesitation whatever in supporting the Amendment.

Question put.

The House divided:—Ayes, 67: Noes, 337. (Division List No. 446.)

AYES.

Acland-Hood,Rt.Hn.SirAlex.F.
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach, Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt. Hn.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E)
Chamberlain, Rt.Hn.J.A.(Worc
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, Capt. Jas. (Down, E.)
Craik, Sir Henry
Dixon, Sir Daniel
Dixon-Hartland, SirFredDixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hervey,F.W.F.(Bury,SEdmd's
Houston, Robert Paterson
Kennaway, Rt.Hon.Sir JohnH.
Kenyon-Slaney, Rt. Hn.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Parkes, Ebenezer
Pease, HerbertPike(Darlington
Percy Earl
Powell, Sir Francis Sharp
Remnant, James Farquharson
Ropner,Colonel Sir Robert
Rutherford, John (Lancashire)
Smith, Abel H.(Hertford,East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent ,Mid)
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr. Courthope and Mr. Stanley Wilson.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn. HerbertHenry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(S'mers't)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell,SirJ.H.(Essex,Romfrd)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black,ArthurW.(Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F.L. (Lancs.,Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce,Rt.Hn.James(Aberdeen
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt.Hn.Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Corbett, A. Cameron (Glasgow)
Corbett,CH.(Sussex,E.(Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Davies,David(MontgomeryCo.)
Davies, Ellis William (Eifion)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duffy, William J.
Duncan,C. (Barrow-in-Furness)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)

Lord R. Cecil.

Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, EdmundG.(Leominster)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil(St.Pancras,E.)
Levy, Maurice

Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.)
M‘Callum, John M.
M‘Crac, George
M‘Hugh, Patrick A.
M‘Kenna, Reginald
M‘Killop, W.
M‘Laren, Sir C. B. (Leicester)
M‘Laren, H. D. (Stafford, W.)
M‘Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N. (Doncast'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robt. John (Norfolk E.)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.

Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn.E.(Dundee)
Robertson,SirG.Scott(Bradfrd)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Rutherford, W. W. (Liverpool)
Samuel, Herbert L. (Cleveland)
Scott,A.H.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A.(Glamorgan, E.)
Thomas,DavidAlfred (Merthyr)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E.
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J.
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)

White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

*MR. FELL moved to amend the clause so that it should read to the effect that a person registered as a Parliamentary elector in more than one constituency "who votes" except in the one constituency selected should come under the provisions of the Bill. He said that this was partly a drafting Amendment, although in other respects it raised a very important point by omitting the words which made it an offence for a plural voter "to ask for a ballot or voting paper." During the discussion in Committee it was pointed out how extremely onerous was the penalty inflicted upon a man who did not vote but who asked for a ballot or voting paper. Until the elector got into the polling booth and asked for this paper it might be perfectly possible for him not to be aware that he was registered in another constituency. Immediately he had obtained a ballot or voting paper, however, under this Bill he would have committed a crime for which he was liable to two years imprisonment. That was a very onerous provision. Clause 2 contained a proviso that the presiding officer should not give into custody any person charged with personation under the Bill unless such person had actually voted, which implied that the mere asking for a voting paper made a man guilty of personation and a criminal. The clause as now drafted created a new crime, namely, that of asking for a ballot paper, and on these grounds he thought it would be clear to hon. Members that the clause as he proposed to amend it would be much more terse and would leave out the objectionable words by which a new crime was created.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) seconded.

Amendment proposed to the Bill—

"In page 1, line 6, to leave out from the word 'constituency' to the word 'during' in line 7, and to insert the words 'who votes.'"—(*Mr. Fell.*)

Question proposed, "That the words 'shall not vote as such,' stand part of the Bill."

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E.) said so far as he could make out, the effect of this Amendment, if it was inserted in the form proposed by the hon. Member, would be that there would be no prohibition of any sort or kind in the first part of the clause. The hon. Gentleman would have seen had he reflected a little more that there was no sense in the Amendment.

Amendment negatived.

MR. T. L. CORBETT moved to insert after the word "such," the words "at any general election." This Amendment was simply to try and make the avowed object of the Bill more clear than it was at present. As he understood it that object was to carry out the principle of one man one vote, but he feared the real object was to punish and penalise the political opponents of right hon. and hon. Gentlemen opposite. He believed the right hon. Gentleman desired to meet all reasonable suggestions, and that if he only had a free hand to accept Amendments the Bill would be put into a better shape. But the right hon. Gentleman recognised that his followers would be only too glad to accept a Bill giving penal servitude to every Unionist elector who attempted to vote. If the Bill was really aimed at carrying out the principle of one man one vote, the Amendment would afford a test of the sincerity of the right hon. Gentleman and his followers. At a general election there were a great many contests going on at the same time, which gave an opportunity to a voter so criminal as to have property in various parts to vote in more than one constituency. At a by-election it was clear that except on rare occasions there could only be one opportunity of voting, therefore it seemed a fair and reasonable proposal that the principle should be maintained only at a general election. He begged to move.

CAPTAIN CRAIG said in seconding this Amendment he would like to call the right hon. Gentleman's attention to the fact that enormous expense would be saved to those who had votes in several parts of the country. At a general election it would not be possible, as the clause now stood, for anyone to exercise the franchise more than once. It was also clear that considerable hardship would be placed on certain sections of voters, who at a by-election might have to travel at considerable expense from one part of the country to another to record their votes. In the first instance they might have starred themselves in a constituency very far away from that in which they found themselves when an election was sprung on them. The right hon. Gentleman's object would be fully attained by prohibiting more than one vote one man at a general election. It would save expense and trouble if plural voters were allowed to vote at by-elections. If a man had a qualification in two places, say London and Cork, and having starred for the City of London found himself in Cork at the next election, and desired to vote in Cork, it would be a great hardship if he had to go to the expense and inconvenience of crossing the Channel to record his vote in London. It would be a small concession for the right hon. Gentleman to accept the Amendment. They were not asking for a large concession, but merely one of more or less minor importance, especially when it was considered that the probabilities were that in the whole of the United Kingdom the plural voters were very frequently plural voters for an adjoining constituency. But undoubtedly there were a fair number of those who lived in out-of-the-way parts and had business in other parts of the country, so that really, although on the face of it the Amendment seemed to be a considerable change from what the Government intended, if it were closely examined it would be found that it did not affect the vital principles of the clause. He agreed as to the necessity of safeguarding those who neglected to select their constituency, but when all safeguards had been provided and everything laid down in the machinery of the Bill had been done there was bound to be a very large section in the country districts who had neglected to do what was required of them. This was not a Party Amendment at all. It was a reasonable and fair Amendment which he thought the Government ought to adopt.

Amendment proposed to the Bill—

"In page 1, line 6, after the word 'such' to insert the words 'at any general election.'"—(*Mr. T. L. Corbett.*)

Question proposed, "That those words be there inserted in the Bill."

MR. HARCOURT said the hon. Member who moved this Amendment stated that his point was quite clear. It was indeed. The hon. Gentleman proposed to limit the operation of the Act to a general election. [AN HON. MEMBER: One man one vote.] One man one vote at a general election, and one man to put in as many votes as he could at by-elections.

MR. T. L. CORBETT: At a by-election a man could only vote once.

MR. HARCOURT said there was more than one by-election in the life of a Parliament. This Amendment went back over the ground that had been covered so often during the Committee stage. If it were accepted they would necessarily have in a particular constituency a different electorate at a by-election from that at a general election. Hon. Members opposite for certain reasons did not think that a disadvantage, but he was sure it would not be to the advantage of the House, or of Members themselves, or of the country as a whole. He thought the Amendment was not reasonable, and he could not accept it.

SIR FREDERICK BANBURY said he did not see any reason why the right hon. Gentleman should not accept the Amendment. It might or it might not be that if there were a by-election, and the plural voters were allowed to vote, there would be a different electorate when the general election came round, because it might happen that all the plural voters in the constituency had starred themselves in that constituency.

The by-election might have taken place three or four years before the general election. Unless the Government accepted this Amendment, a great number of people would be disqualified altogether. The right hon. Gentleman had said this was not a disfranchising Bill, and yet he refused to accept an Amendment without which the Bill would disfranchise a man at a by-election. Over and over again they had heard from members of the Ministerial Party that the most important thing a man could have was the right to vote, and yet the right hon. Gentleman refused to accept a reasonable Amendment which would do something to prevent the anomalies to which they all objected. He could not conceive any reason why the right hon. Gentleman should refuse this Amendment, unless he desired that the rich man should have no vote, while the poor man should have as many as he could get. This was a Reform Bill in the wrong direction. The Amendment did not touch the principle of the Bill, and under it no man would be able to vote twice in one year in any constituency.

Question put.

The House divided :—Ayes, 36 ; Noes, 282. (Division List No. 447.)

AYES.

Acland-Hood, Rt.Hn.SirAlexF.
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach, Hn.Michael Hugh Hicks
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Capt. James (Down, E.)
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Duncan,Robert(Lanark,Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt.Hn. Sir John H.
Kimber, Sir Henry
Lane-Fox, G. R.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Pease,HerbertPike(Darlington)
Powell, Sir Francis Sharp
Rutherford, W. W. (Liverpool)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)

TELLERS FOR THE AYES—Mr. T. L. Corbett and Viscount Turnour.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury,E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexhm)
Beck, A. Cecil
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bethell, SirJ.H.(Essex,Romfrd)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, ArthurW.(Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Brunner,Rt.Hn.SirJ.T.(Chesh.)
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm.J.(S.Pancras,W
Condon, Thomas Joseph
Corbett, CH.(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Davies, David (MontgomeryCo.
Davies, Ellis William (Eifion)
Davies, W. Howell (Bristol, S.)
Dickinson, W.H.(St.Pancras,N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Donelan, Captain A.
Duffy, William J.
Duncan, C.(Barrow-in-Furness)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin (Walsall
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody

Sir Frederick Banbury.

Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, W. Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, EdmundG.(Leominster)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil(St.Pancras,E.)
Lever, LevyA.(Essex,Harwich)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morse, L. L.
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,CharlesN.(Donc'st'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pirie, Duncan V.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert John (Norfolk,E.)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E.(Waterford)
Rees, J. D.
Rendall, Athelstan
Richards, T.F.(Wolverh'mpt'n)
Richardson, A.
Rickett, J. Compton
Roberts, G. H. (Norwich)
Robertson,Rt.Hn.E. (Dundee)
Robertson, SirG.Scott(Br'df'd)
Robertson, J. M. (Tyneside)
Robinson, S.
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scott, A. L.(Ashton-under-Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soares, Ernest J.
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred(Merth'r)
Thomasson, Franklin
Thompson, J. W. H. (Somerset,E
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Vivian, Henry
Wadsworth, J.
Walton, Sir John L. (Leeds, S.)
Ward, W. Dudley(South'mptn)
Wardle, George J.
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

Tellers for the Noes—Mr. Whiteley and Mr. J. A. Pease.

Mr. HARMOOD-BANNER (Liverpool, Everton) moved to omit from the clause the words "or ask for a ballot or voting paper for the purpose of so voting." His object was to place the measure in the same position as regarded the penalty for personation as the old Act. The Amendment brought into prominence one of the principles of the Bill which they had to fight. One of those principles was in regard to the process of selection, and the other was in regard to the punishment to be imposed on a voter for contravening the provisions of the Bill. The Amendment, so far as personation was concerned, would place the offence in the same position as an offence under Section 24 of 35 and 36 Vict. chapter 33. Unless the words of the Amendment were accepted, the House should clearly understand that by this Bill they were creating a new offence. He did not know that hon. Members opposite, and hon. Members of the Labour Party and of the Irish Party below the gangway, desired that they should be parties to inventing a new crime. When at an earlier stage of the Bill he brought forward an exactly similar Amendment he was called to order and told that he had not looked into the matter, and that the penalty imposed for asking for a voting paper was exactly the same as that included in the old Act. He hoped that the right hon. Gentleman would now admit that the penalty was entirely different, and that when he gave that reason for preserving the clause he was acting from ignorance or inadvertence. He believed the right hon. Gentleman acted from inadvertence rather than ignorance. If he had simply accepted the clause in the old Act as to the punishment for personation the Bill would have been infinitely simpler, but, instead of doing that, he had piled up clauses and exceptions, and lengthened out what ought to have been a short measure. He ventured to think that no Member of the House would question the right of any man to go and ask for a voting paper; he did not say that he had a right to get it when he asked for it. He thought the right hon. Gentleman should still consider the question of applying the terms of the old Act so as to make it unecessary to have exceptional legislation of the kind now proposed. They had good cause to complain that a new offence had been created.

Amendment proposed—

"In page 1, line 6, to leave out the words 'or ask for a ballot or voting paper for the purpose of so voting."—(*Mr Harmood-Banner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Harmood-Banner.

VISCOUNT TURNOUR (Sussex, Horsham) said the retention of the words might inflict great injustice on a perfectly innocent man who applied at a polling place for a voting paper with no intention of committing a crime. The words were not necessary for the enforcement of the principle which the right hon. Gentleman wished to carry out.

MR. HARCOURT said it was difficult to deal with the speech of the noble Lord except to say that no injury would be done by the clause as it stood. The Mover of the Amendment was a more serious observer of the law, and he had drawn a vivid picture of the unfortunate position in which the fraudulent plural voter would be placed. But no injury would be suffered by an innocent man who applied for a ballot paper without the intention of evading the provisions of the Act. He was not creating a new offence by the sub-section under discussion. An attempt to vote in two divisions of a divided borough was already the offence of personation; but even if the application of the offence of personation which he proposed were new, he thought it would be suitable and proper under this Bill. The hon. Member took exactly the same view as he did, viz., that if the Bill became law, he wished that the law should be observed and observed with the least possible friction and trouble. The hon. Gentleman, with his legal knowledge, must admit that the attempt to commit an offence was treated by the law, if not with the same severity, at all events in the same catgeory as the actual commission of the offence. Certainly in this particular case, what it was desired above all to prevent was the attempt to commit the offence. The hon. Member surely did not mean that the plural voter should be encouraged to go into the polling booth "to try it on" and knowingly ask for a ballot paper, and then be relieved of liability for knowingly applying for a ballot paper with the intention of evading the provisions of the Act? Was he to escape punishment if the presiding officer omitted to do his duty? He was sure that that was not the hon. Gentleman's intention.

MR. HARMOOD-BANNER said the case which he had in mind was that of an innocent man who went into the polling booth just as a single voter would do, and asked for a ballot paper.

MR. HARCOURT said that he could assure the hon. Gentleman that in such a case his Amendment was absolutely unnecessary. A man who had not acted with the intention of evading the Act would not be subject to any penalty.

Question put.

The House divided:—Ayes, 289; Noes, 38. (Division List No. 448.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hn. W. C. B. (H'xh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W. (T'w'r' H'ml'ts, S. Geo
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, R'mf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Ches.
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras W
Condon, Thomas Joseph
Corbett, CH (Sussex, E. Gr'ns'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Wals'l
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Right Hon. Lewis
Hardie, J. Keir (Merthyr T'dv'l
Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, W. Bateman (Som'rst, N.
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.
Lever, A Levy (Essex, Harwich
Lever, W. H (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M (Falkirk B'rghs
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Charles (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester,
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Meagher, Michael

Menzies, Walter
Micklem, Nathaniel
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morse, L. L.
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pirie, Duncan V.
Power, Patrick Joseph
Price, C. E (Edinburgh, Central)
Price, Robert John (Norfolk, E
Priestley, W. E. B. (Bradford, E.
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Rees, J. D.
Rendall, Athelstan
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, Sir G Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soares, Ernest J.
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thompson, J. W. H (Somerset, E
Tillett, Louis John
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Vivian, Henry
Wadsworth, J.
Walters, John Tudor
Walton, Sir John L. (Leeds. S.)
Ward, W Dudley (Southampton
Wardle, George J.
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan
Williams, Osmond (Merioneth))
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid.)
Wilson, J. H. (Middlesbrough
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt. Hn. Sir Alex F
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Beach, Hn. Michael Hugh Hicks
Bowles, G. Stewart
Carlile, E. Hildred
Cave, George
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hervey, F. W. F. (Bury S Edm'ds
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hon. Sir John H.
Kimber, Sir Henry
Lane-Fox, G. R.
Lockwood, Rt. Hn. Lt.-Col. A. R.
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Tuke, Sir John Batty
Turnour, Viscount
Warde, Col. C. E. (Kent, Mid.)
Williams, Col. R. (Dorset, W.)

TELLERS FOR THE NOES—Mr. Harmood-Banner and Mr. Courthope.

SIR FREDERICK BANBURY moved an Amendment to provide that the Bill should not come into operation until after the year 1909. He said the object of his Amendment was to postpone the evil day, and there were many precedents for moving such a proposal. Before the year 1909 it was to be hoped that there would be a general election, and if his Amendment were accepted they would be following a constitutional practice by not making any alteration in the franchise until after a general election. That practice had been followed in the case of every alteration of the franchise from time immemorial. It was impossible to predict when a general election would come, but by inserting the words 1909 they would go far to meet the case and make the Bill in some small degree follow the precedent of all other franchise Bills. There were other reasons why he moved the Amendment, but he thought that alone was a sufficient ground for it. One of the other reasons was that time was required before the Bill came into operation for it to be understood. It would be a considerable amount of time before the plural voters were seized of the fact that they would have to do certain things. His Amendment did not touch the principle of the Bill. Meanwhile time would be given for the officials to draw up proper rules and regulations, and for the disfranchised plural voters to pull themselves together and find out what they had to do to avoid two years imprisonment with hard labour. On these grounds he hoped the Government would accept the Amendment.

MR. HICKS BEACH seconded, and said the Amendment was a very simple one and was not in any way contradictory to the principle of the Bill. If the Government had thought the Bill was a workable measure they would not have inserted the date of 1907; they would have put in the year 1906.

MR. HARCOURT said he had brought the Bill into operation at the earliest possible date.

MR. HICKS BEACH said, if the right hon. Gentleman stated that, his argument fell to the ground, but he urged that there was no mandate from the country in regard to the Bill. He thought the Government would justify themselves and their supporters if they went to the country on this particular Bill.

MR. DEPUTY-SPEAKER did not see that the remarks of the hon. Gentleman arose out of the question.

MR. HICKS BEACH said that if the Deputy-Speaker ruled him out of order he would not pursue the subject further. It seemed to him that the Bill would be a somewhat difficult one to work. That it was not a simple measure was shown by the fact that it started as one of sixty lines and when finished would run to 110 lines. It would take considerable time for the electors of this country to decipher its meaning, and the clerks of the county councils and the officials ought to have as long a time as possible to study its clauses. He did not think that the Government could honestly refuse to accept the Amendment, and if they did it would prove that they were afraid of going to the country on this particular measure.

Amendment proposed to the Bill—

"In page 1, line 8, to leave out the word 'seven' and to insert the word 'nine.'"—(*Sir Frederick Banbury.*)

Question proposed. "That the word 'seven' stand part of the Bill."

MR. HARCOURT said the hon. Baronet seemed to wish to postpone the evil day on which the Bill would come into force, but if the Bill was a good one it ought to come into force at once. If it was a bad one it ought not to come into force even in 1909; in fact it ought never to come into force at all. The hon. Baronet had entered into interesting speculations as to when the election would come, and when he himself was on the benches opposite he had entered into these speculations. It was always interesting to speculate upon the time when well deserved vengeance would descend upon the heads of hon. Members who were opposed to them. If hon. Members thought that more time was necessary to bring the Bill into operation he thought they were mistaken. There was no difficulty in explaining the provisions of the Bill to the officials who would have to administer it. The hon. Baronet had said, however, that there would be a difficulty in bringing it home to the comprehension of the elector. But that was a conclusive argument for bringing the Bill into operation at once in order to accustom the hon. Baronet and his friends in the City of London to its working and so that they might understand it.

MR. COURTHOPE said he did not dwell so much on the difficulty so far as the officials were concerned. They would arrange for their duties in a very short time. But there was a class who would require time and who were deserving of consideration, namely, the Party registration agents on both sides. All who had had any personal experience of registration work admitted that this would be a complicated, difficult, and expensive measure. The Party agents would have to set up machinery in order to secure, if possible, the selection by pluralists, not only in time for the 5th September, but in the particular division where votes were most wanted. That would apply to both Parties. It would take time; it would be expensive and would require the raising of funds, and he did not think any Party would be able to put the Party agents in a position to prepare for this Bill, or to act as he supposed it would be their duty, unless reasonable time was given. If the Act came into force and received the Royal assent before the end of this year, he did not think they would be able to get the machinery on either side properly working in time to get the selection made before September 5th next, and it was for that reason that he supported the Amendment.

*MR. CAVE did not suppose there was anybody in the country or in the House who did not think that the machinery of this Bill was bad. Apart from that question, there were Members on both sides of the House who would agree that some change in the present system was desirable, and that at all events, with regard to the ownership vote, some limitation in the number of votes might be fairly demanded. But that change, if it came, ought to come as part of a general redistribution of voting power. The reason why this Amendment was important was that if the operation of the Bill was postponed for two years it would enable the whole question of redistribution to be considered and dealt with before this Bill came into effect. Some Members only represented 2,000 or 3,000 voters, others represented 20,000. The average number represented by hon. Members on the Ministerial side of the House was under 7,000, whilst those on the Opposition side represented on the average upwards of 15,000. That was certainly not a fair distribution, and he submitted that if the right hon. Gentleman was going to remedy one anomaly he ought also to attempt to remedy the other and greater anomalies of our present system. It was on these grounds that he supported the Amendment.

Question put.

The House divided:—Ayes, 297; Noes, 45. (Division List, No. 449.)

AYES.

Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerst
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beaumont, Hn. W. C. B (Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W. (T'w'r Haml'ts, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J. T (Cheshire)
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W.
Condon, Thomas Joseph
Corbett, C H (Sussex, E Grinst'd)
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crossley, William J.
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Donelan, Captain
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Right Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)

Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.)
Lever, A. Levy (Essex, Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central)
Price, Robert John (Norfolk, E.
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T. F. (Wolverh'mpton
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee)
Robertson, Sir G. Scott (Bradford
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Scott, A. H (Ashton under Lyne
Sears, J. E
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soares, Ernest J.
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thompson, J. W. H (Somerset, E.
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Vivian, Henry
Wadsworth, J.
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, W. Dudley (Southampt'n
Wardle, George J.
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Abraham, William (Rhondda)
Acland-Hood, Rt Hn. Sir Alex. F
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banner, John S. Harmood-
Bowles, G. Stewart
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn J. A. (Worc.)
Cochrane, Hon. Thos. H. A. E.

Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Captain James (Down, E.
Craik, Sir Henry
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hervey, F. W. F. (Bury S. Edm'ds
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hon. Sir John H.
Lane-Fox, G. R.
Magnus, Sir Philip
Pease, Herbert Pike (Darlington
Rawlinson, John Frederick Peel
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Smith, F. E. (Liverpool, Walton
Starkey John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark
Tuke, Sir John Batty
Turnour, Viscount
Warde, Col. C. E. (Kent, Mid.
Williams, Col. R. (Dorset, W.)

TELLERS FOR THE NOES—Sir Frederick Banbury and Mr. Hicks Beach.

MR. COURTHOPE moved to delete the words providing that the selection of his constituency by the plural voter should be made "for the year in the manner provided by this Act." He said the Amendment raised the whole question of the machinery of the Bill. The right hon. Gentleman had given way on certain points of machinery, but not on points of principle. This was another point of machinery on which he hoped the right hon. Gentleman would see his way to make some concession. They must all—even the most sanguine supporters of the Bill—feel a little doubtful whether the measure would be easily workable. Hon. Members on both sides of the House who had most experience in electioneering matters had criticised the machinery and methods proposed somewhat severely. He could not help thinking that the right hon. Gentleman in charge of the Bill would have been well advised if he had paid rather more heed to those criticisms, which came from all parts of the House, and set himself to try and make the machinery more workable. It seemed to him that the present machinery was a direct invitation to fraud where an elector had failed to select a constituency. Where there was no mark in the register very great difficulty would occur in the detection of fraud, and anyone who was dishonest enough to make a false declaration could do so with almost perfect impunity under the machinery set up. It would be almost impossible, at any rate extremely difficult, to trace an offence or to detect an offence at all. On the other hand, those who were too honest to make these false statements might in certain instances lose their votes altogether, if through inadvertence or some other cause they failed to make their selection. It came to this. Many dishonest pluralists would exercise their votes, and many truthful and honest pluralists would exercise none of their votes. That was a state of things which he thought the whole House would agree was eminently undesirable. Another important point arose in connection with the question of machinery in the case of scrutiny. The question of machinery had already been referred to this evening, and the right hon. Gentleman had pointed out that by the safeguards he had provided there would be no inducement to the candidates to demand a scrutiny, but on the other hand there would be very much greater difficulty in carrying it out. That was important. A scrutiny in some cases must be necessary, and it would be an extremely difficult matter under the machinery of this Bill to put through a scrutiny successfully and with satisfaction. Then there was the question of the Party agents. They would not only be required to send a polling card and so on to an out-voter and pluralist inviting him to come and poll on a particular day, perhaps saying that a conveyance would meet certain trains, but they would have, in addition, to approach him some time during the middle of each year, in order to secure, if possible, that he should select the constituency they represented as his voting constituency. That would be a matter of great difficulty and of expense, which would be felt by all Parties and which to his mind was giving a distinct advantage to those Parties or candidates who were so wealthy that they could spend large sums of money in registration work and in getting in touch with their out-voters. A man of moderate or small means would thus be at a disadvantage. Again, there would be a great opening under this Bill for unscrupulous agents. He hoped the majority of agents were most careful and did not come within the category of unscrupulous, but there were certainly some unscrupulous agents, and they would have grand opportunities of exercising their wiles by the machinery which this Bill set up.

There would be very great difficulty in detecting unscrupulous work and fraud. It would be an advantage to the Party agents to get people on the other side put on the register, whereas now it was to their advantage to keep them off, and it would be very difficult indeed to detect such cases, and to make the Party agents liable to the penalties imposed by the Bill. In every one of these instances there was a premium put on dishonesty. Then there was the question of testing the accuracy of claims and of deciding whether objections were necessary. That was a very costly proceeding. Very often it was not carried out, but under this Bill it would be absolutely essential. If one Party had not the means to carry out a careful examination of claims and to make objections where necessary, the other Party could do them great harm by putting in an enormous number of claims which they could not substantiate and which they knew their opponents would be unable to oppose. Again he must quote the Member for the Forest of Dean in corroboration of what he said as to the enormous cost of thoroughly examining an opponent's claims and of setting up objections to them. There again there was a premium put on dishonesty. Why was this extraordinary machinery set up? Why was it not sufficient for the purpose of the Government that they should simply say that a man should not vote twice? The only conclusion which one could come to—and he came to it with reluctance—was that the Government thought the majority of pluralists supported the Party of which he was a member, and that by putting disabilities upon them some Party advantage might be gained. He could not help thinking that in many constituencies the right hon. Gentleman and his colleagues would find they had made a mistake. Perhaps, however, the Government were prepared to risk that. Possibly they thought the country wanted a Bill of this kind, and that the people would overlook the ludicrous machinery set up by it. If the Government wished to appear as sensible, intelligent legislators they would really have to adopt some more workable method than that which this Bill set up. He knew it was of no use appealing to them on these grounds. They were deaf to all entreaty. But he did appeal to the House on behalf of honesty in our registration and at our elections to accept the Amendment, the effect of which would be to revise the whole machinery of this ridiculous selection set up by the Bill.

CAPTAIN CRAIG, in seconding, said there appeared to be one rather important matter which his hon. friend had overlooked, and that was the case of a man who had his name on two registers practically for life. He considered that such a person should have the opportunity of declaring once and for all his intention to exercise the franchise in a particular constituency so long as he was a plural voter, instead of having each year to trust to the rate collector or Party agent to see that his name was not removed from the register. It was very hard that the voter with one qualification should remain on the register while another class of voters just as innocuous, the man with dual qualifications, should have year by year to choose in which constituency he should vote. He was quite sure that the Amendment would more nearly approximate to the wishes of the Minister in charge of the Bill than the Bill itself, which left so much to the whim of the dual voter. As the right hon. Gentleman was aware, the various political agents thoughout the country would be watching very closely where dual voters were being indicated on the various registers. A special effort would be made in constituencies where Members were at the present time returned by sixteen or twenty votes, or even by a hundred, and it would be very expensive to have the whole Party machinery at work annually. The necessity of choosing annually would, he thought, involve as grave an evil as those pointed out by his hon. friend. They were legislating, not only for those who would perhaps indulge in sharp practices, but also for the ordinary law-abiding elector, who would much prefer to be able to make a permanent choice of some one constituency. A more important point, perhaps, was the unfortunate wording of the clause by which penalties were imposed upon quite innocent persons. He feared the effect would be that the very persons the Government wished to penalise would go free, while the person who acted mistakenly but in all honesty would lay himself open to a series of severe penalties. He trusted that though somewhat late in the day the right hon. Gentleman would recognise the importance of the Amendment and give it his careful attention.

Amendment proposed to the Bill—

"In page 1, line 10, to leave out the words 'for the year in the manner provided by this Act.'"—(*Mr. Courthope.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. HARCOURT said these words, if left out, would omit the whole method of selection provided under the Bill. He resented the charge that the Government had brought in this Bill partly with the object of injuring their political opponents. It had been said that the abandonment of an important part of the machinery and methods of the Bill had been rendered necessary by the ludicrous provisions inserted during the Report stage. All he had to say in reply to that was that those "ludicrous" provisions were concessions made at the suggestion of hon. Members opposite. Selection had always been coupled with the principle enunciated in the Bill, and he was not going to change machinery which the Government had deliberately adopted.

VISCOUNT TURNOUR said he rose with some diffidence as the right hon. Gentleman was kind enough to say earlier in the evening that he had not been a serious student of the Bill. If he had not grasped all the flaws of the Bill or fathomed all its various ambiguities it was because the right hon. Gentleman was such an indifferent exponent of his own measure. [MINISTERIAL cries of "Oh, oh!"] He had said that if the Amendment was adopted it would injure the whole principle of the Bill. It was the whole principle of the Bill that hon. Gentlemen on the Opposition side of the House were anxious to injure, because they regarded it as most unjust, and if adopted it would not do any good to the country. The right hon. Gentleman had also referred to the Amendment as affecting the machinery of the Bill. All he could say was that it was a very important Amendment if it affected both the principle and machinery of the Bill. Both the machinery and the principle of the Bill were bad, and he hoped the Government would adopt the Amendment.

MR. T. L. CORBETT said he very much regretted the change of tone which had come over the right hon. Gentleman's speeches. He had until now met them with the utmost courtesy and fairness, but within the last half hour—he supposed because the closure was going to fall shortly—he had not refrained from throwing across the floor of the House a taunt that the agents employed by the Conservative and Unionist Party were different from the agents employed by the Liberal Party.

MR. HARCOURT: I said absolutely nothing of the sort. Nothing was further from my thought and intention. [Cries of "withdraw."]

MR. T. L. CORBETT said he was very glad indeed that he had obtained that disclaimer, because hon. Members about him believed that that taunt was made. The object of this Amendment was to remove from the clause particular words which he believed would disgust people who had any stake in the country from taking part in the affairs of the nation in future. They had had the examples of America and Australia referred to in the debate, where men of position and education, and men having a stake in the country, had absolutely withdrawn from any part in politics. The words now proposed to be left out were simply meant to harass them, and if they were omitted it would greatly conduce to the simple working of the Bill.

MR. AUSTEN CHAMBELAIN said there was little time now remaining for discussion. His hon. friend had moved this Amendment for the purpose of registering perhaps the last protest they would have an opportunity of registering, against the whole machinery by which effect was to be given to the principle that no man should vote more than once. In the course of the debate yesterday he asked how many ordinary voters would obtain their vote if it depended on personal action on their part to secure that their names were put on the register. [AN HON. MEMBER: What about lodgers?] He was aware of the case of lodgers. The hon. Member for Barnard Castle had expressed the opinion that not one voter in ten would secure his vote if he had imposed on him the personal exertion of looking after it at some period in advance of the time when the register came into force. The Government by the machinery of this Bill were putting on every man who had the misfortune to have two or more qualifications a disability which would have the effect of disfranchising him. For the purpose of his argument he was willing to accept in the fullest degree the statement that it was simply the intention of the Government that no man should be permitted to vote more than once. Was it reasonable, or fair, or just that they should put in the path of a man who had more than one qualification, disabilities and obstacles which they carefully removed from the path of a man who had only one? There were thirty or more Amendments on the Paper in the name of the Government, and these would have to be decided upon under the guillotine. He recognised that they were in the main either drafting Amendments or framed to meet, as far as the Government saw fit, objections taken to their original proposals. They were, in his opinion, inadequate in several particulars. Recognising, however, the spirit in which they had been put down he would advise his hon. friends to accept the major portion of them without putting the House to the trouble of repeated divisions.

Question put.

The House divided:—Ayes 340; Noes 71. (Division List No. 450.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight
Barker, John
Barlow, John Emmott (S'm'rs't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W.C.B. (H'xh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W. (T'w'r H'ml'ts, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J.H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordsh.
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh
Brunner, Rt. Hn. Sir J.T. Ches.
Bryce, Rt. Hon. James (Aber'n
Bryce, J. A. (Inverness Burghs
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Carns, Thomas
Carr-Gomm, H. W.
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H. (Sussex, E. Gr'st'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, David (Montgomery Co
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H. (St. Pancras N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Wals'l
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, T.
Gladstone, Rt. Hon. Herbert J.
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough

Gulland, John W
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Right Hon. Lewis
Hardie,J.Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson,J.M. (Aberdeen,W.)
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.
Herbert, T. Arnold (Wycombe
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope,W.Bateman (Somerset,N
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelly, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominst'r
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras,E
Leese, Sir Joseph F. (Ac'r'gton
Lever, A. Levy (Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald,J. M. (Falkirk B'hs
Mackarness, Frederic C.
Maclean, Donald
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Charles (Donegal,E.
M'Callum, John M.
M'Crae, George

M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. D. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks,G. Croydon (Launcest'n
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Donc'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal (Tipper'ry Mid
O'Brien, Patrick (Kilkenny)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson,W.H.M. (Suffolk, Eye)
Philipps, Col.Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price,Robert John (Norfolk, E.
Priestley, Arthur (Grantham)
Priestley, W.E.B. (Bradford,E.
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T. F. (Wolverhamp'n
Richardson, A.
Rickett, J. Compton

Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt.Hn. E. (Dundee
Robertson,Sir G.Scott (Br'df'd
Roberrson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Schwann,Sir C.E. (Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John B.
Silcock, Thomas Ball
Simon, John Allsebrook
Sloan, Thomas Henry
Smeaton,Donald Mackenzie
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn. A. Lyulph (Ches.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.
Thomas,David Alfred (Merthyr
Thomasson, Franklin
Thompson, J. W.H.(SomersetE
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J.
Walters, John Tudor
Walton,Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W. Dudley (Southamp'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon. C. H.W.(Hull, W
Wilson, Henry J. (York, W.R.

Wilson, John (Durham, Mid.)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish,Rt.Hon.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.
Chamberlain, Rt.Hn.J.A. (Wor
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Lloyd
Craig, Captain James (Down,E.
Craik, Sir Henry
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan,Robert (Lanark,Gov'n
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hervey,F.W.F.(Bury S.Edm'ds
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Kennaway,Rt.Hon.Sir John H
Kenyon-Slanev,Rt.Hon.Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt. Hon.Lt.-ColAR
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Pease,Herbert Pike (Darlingt'n
Percy, Earl
Powell, Sir Francis Sharp
Rawlinson,John Frederick Peel
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool
Scott, Sir S. (Marylebone, W.)
Smith,Abel H. (Hertford, East
Smith,F.E. (Liverpool,Walton)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson,W.Mitchell- (Lanark)
Tuke, Sir John Batty
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Wilson,A.Stanley (York, E.R.)

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Lord Balcarres.

MR. HARCOURT moved what he exexplained was a drafting Amendment to leave out the word "section" in line 12 in order to insert "provision." He said that he did this in order to provide that if a person knowingly acted in contravention of the provision contained in the first part of the clause he should be guilty of personation. Although it was merely a drafting Amendment it was important that it should be made.

Amendment proposed to the Bill—

"In page 1, line 12, to leave out the word 'section' and insert the word 'provision.'"—(*Mr. Harcourt.*)

Amendment agreed to.

MR. LANE-FOX moved an Amendment which would have the effect of omitting the penalties attaching to personation and under the Corrupt and Illegal Practices Act of 1883, and providing that a person guilty of an offence under the Bill should only be "liable on summary conviction to a penalty not exceeding forty shillings." He desired to emphasise the strong feeling that they on that side of the House had in regard to these penalties, although it had been pointed out that the full penalties would not be exacted in all cases. To his mind it was monstrous that the Government, having deliberately set a trap by means of complicated machinery, should make a person prove himself innocent or be subject to the heaviest penalty which the law allowed. In a previous speech the right hon. Gentleman said he had been guilty of undue tenderness to the plural voter, in having put that person in danger of two years imprisonment. If that was the right hon. Gentleman's method of being unduly tender he wondered what happened when he became cruel. To all who knew him, it seemed impossible to believe that the right hon. Gentleman could be cruel, but if his measure of tenderness was to place his victims, trapped by his own machinery, within the range of a sentence of imprisonment for two years with hard labour, he could only say that he hoped that he might never cross the right hon. Gentleman in the full blast of his cruelty. He hoped that the right hon. Gentleman would show them that he was not the human tiger which he represented himself to be. The proscription of political opponents was no new form of political movement, but to proscribe them in this manner by setting a trap for them and luring them into it was a most brutal form of proscription, and he would say, with all respect, the right hon. Gentleman had adopted a most clumsy method of doing it.

MR. STANLEY WILSON seconded.

Amendment proposed to the Bill—

> "In page 1, line 13, to leave out from the word 'be' to the word 'provided' in line 16, and insert the words 'liable on summary conviction to a penalty not exceeding 40s.'"—(*Mr. Lane-Fox.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. HARCOURT said that the Amendment would provide an insufficient maximum penalty. It would be taken as an indication to certain persons tha they might have as many votes as they chose, and that a penalty of £2 would cover the electoral offence. It was desirable not to make it easy and cheap to break the law and wilfully to evade the provisions of the Bill.

MR. AUSTEN CHAMBERLAIN agreed with the right hon. Gentleman that the penalty proposed by his hon. friend was insufficient, but he thought that the maximum penalty imposed by the Government was altogether too severe and out of proportion to the offence. Therefore he should vote against the words of the Government standing part of the Bill.

Question put.

The House divided:—Ayes, 360; Noes, 76. (Division List No. 451.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn W. C. B (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, W (T'w'rH'mlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H (Essex, Romf'rd
Bethell, T. R. (Essex, Waldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J T (Cheshire
Bryce, Rt. Hn James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Collins, Stephen (Lambeth)
Collins, Sir Wm J. (S. Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.
Dickinson, W. H. (St. Pancras)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.

Mr. Lane-Fox.

Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.)
Leese, Sir Joseph F. (Accrington)
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M (Falkirk B'ghs.
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall
Morrell. Philip
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye)
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central
Price, Robert John (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T F (Wolverh'mpton)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hon. E. (Dundee
Robertson, Sir G Scott (Bradford
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C E (Manchester)
Scott, A H (Ashton under Lyne)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thompson, J. W. H (Somerset, E.
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J.
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)

Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hon.C.H.W. (Hull,W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,Rt Hn.SirAlex.F.
Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt.Hn. Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt.Hn.J.A.(Worc
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Captain James (Down,E.
Craik, Sir Henry
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan,Robert (Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Heaton, John Henniker
Hervey,F.W.F.(BuryS.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt.Hn. Sir John H.
Kenyon-Slaney,Rt. Hn. Col.W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lee,ArthurH.(Hants.,Fareham
Lockwood, Rt.Hn.Lt.-Col.A.R.
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Pease,Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rawlinson,John Frederick Peel
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith,Abel H. (Hertford, East)
Smith,F.E (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark
Tuke, Sir John Batty
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

TELLERS FOR THE NOES—Mr. Lane-Fox and Mr. Stanley Wilson.

And, it being after half-past Ten of the clock, Mr. SPEAKER proceeded, pursuant to the Order of the House of 26th November, to put forthwith the Questions on the Amendments moved by the Government, of which notice had been given.

Amendments proposed to the Bill—

"In page 1, line 16, to leave out from the word 'that,' to end of sub-section, and insert '(*a*) the Court before whom any person is convicted of the offence of personation under this section may, if they think fit, instead of inflicting the punishment of imprisonment, impose a fine not exceeding five hundred pounds; and (*b*) the provisions of Section 86 of The Parliamentary Voters Registration Act, 1843, as to giving a person into custody whom an agent declares to be guilty of personation shall not apply in a case where the personation alleged is personation under this Act; and (*c*) a person may be convicted of aiding, abetting, counselling, or procuring the commission of personation under this Act if he knowingly and with the intention of defeating the provisions of this Act, aids, abets, counsels, or procures any person to act in contravention of the foregoing provision of this section, whether that person in so acting would be acting knowingly, and with the intention of evading the provisions of this Act, or not.'"

"In page 1, line 21, to leave out the words 'a person desiring,' and insert the words 'where a person owing to his being registered in two or more constituencies, or owing to the probability of his becoming so registered desires.'"

"In page 1, line 22, after the word 'Act' to insert the word 'he.'"—(*Mr. Harcourt.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 1, line 22, to leave out the words 'send or cause to be sent a,' and to insert the word 'give.'"—(*Mr. Harcourt.*)

Question put, "That the Amendment be made."

The House divided:—Ayes, 363; Noes, 76. (Division List No. 452.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Burnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn W. C. B (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, W (T'w'rH'mlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J H (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn Sir J T (Cheshire)
Bryce, Rt. Hn. James (Aberdeen)
Bryce, J. A. (Inverness B'rghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm J. (S. Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M (Aberdeen, W.)
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jackson, R. S.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.

MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh,Charles (Donegal, E)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallett, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G. Croydon (Launcest'n
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,CharlesN.(Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (RoscommonN
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye
Philipps,Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinburgh,Central
Price, Robert John (Norfolk,E
Priestley, Arthur (Grantham)
Priestley,W.E.B. (Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards,T.F. (Wolverh'mpton
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan,E.)
Thomas,David Alfred(Merthyr
Thomasson, Franklin
Thompson,J.W.H (Somerset,E
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J.
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wilson, Hn. C.H.W. (Hull, W.)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
BalfourRtHnA.J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt. Hn.Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt Hn.J.A. (Worc
Cochrane, Hn. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Captain James (Down,E.
Craik, Sir Henry
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan,Robert (LanarkGovan
Faber, George Denison (Yorks)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hamilton, Marquess of
Hay, Hon. Claude George
Heaton, John Henniker
Hervey,F.W.F (BuryS.Edm'ds
Hill, Sir Clement (Shrewsbury)

Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hn. Col. W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants., Fareham
Lockwood, Rt. Hn. Lt.-Col. A. R.
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Morpeth, Viscount
Percy, Earl
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Tuke, Sir John Batty
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley (York, E.R.)
Wortley, Rt. Hon. C. B. Stuart-

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Lord Balcarres.

Amendment proposed to the Bill—

"In page 1, line 23, to leave out the words 'signed by him.'"—(*Mr. Harcourt.*)

Amendment agreed to.

Amendment proposed to the Bill—

"In page 1, line 27, after the word 'effect,' to insert the words 'by delivering or causing to be delivered or sending by post to the clerk a notice to that effect signed by him.'"—(*Mr. Harcourt.*)

Question put, "That the Amendment be made."

The House divided:—Ayes, 354; Noes, 72. (Division List No. 453.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight
Barker, John
Barlow, John Emmott (Som'rs't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (H'xh'm
Beck, A. Cecil
Bellairs, Carylon
Benn, W. (T'w'r H'mlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordsh.
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. H.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Ches.
Bryce, Rt. Hn. James (Aberd'n
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H. (Sussex, E. Gr'ns'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M. Vaughan- (Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton

Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (MerthyrTydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Denham)
Henderson,J.M. (Aberdeen, W
Henry, Charles S.
Herbert,Colonel Ivor, (Mon.,S.
Herbert, T. Arnold (Wycombe
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope,W.Bateman (Somerset,N
Horniman, Emslie John
Howard, Hon Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jackson, R. S.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor (Swansea
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras,E
Leese, Sir Joseph F. (Accr'gton
Lever,A.Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B.
Mackarness, Frederic C.
Maclean, Donald
Macnarmara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh,Charles (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks,G.Croydon (Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,Charles N. (Donc'r
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien,Kendal (Tipper'y Mid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly,James (Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye
Philipps, Col. Ivor (S'thampt'n
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C.E. (Edinburgh,Central
Price,Robert John (Norfolk, E.
Priestley, Arthur (Grantham)
Priestley, W.E.B. (Bradford, E
Radford, G. H
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T. F. (Wolverh'mp'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt.Hn.E.(Dundee)
Robertson,Sir G.Scott (Br'df'd
Robertson, J. M. (Tyneide)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C.E. (Manchester)
Scott,A.H.(AshtonunderLyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Ches.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. J. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe
Thomas, Sir A. (Glamorgan,E.
Thomas, David Alfred(Merthyr
Thomasson, Franklin
Thompson,J.W.H. (S'm'rset,E.
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Wadsworth, J.
Walters, John Tudor
Walton, Sir John L. (Leeds,S.)
Walton, Joseph (Barnsley)
Wardle, George J.
Wason, Eugene (Clackmannan
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (Cork, E. R.)
White, Patrick (Meath,North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)

Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid.)
Wilson, W. T. (Westohughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Balfour, Rt. Hn. A. J. (City Lond
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt. Hn. J. A. (Worc.
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Devon, North)
Courthope, G. Loyd
Craig, Captain James (Down, E.
Craik, Sir Henry
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, G'vn
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Hay, Hon. Claude George
Hervey, F. W. F. (Bury S. Ed'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Kennaway, Rt. Hon. Sir John H
Kenyon-Slaney, Rt. Hon. Col. W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Nants., Fareh'm
Lockwood, Rt. Hn. Lt.-Col. A. R
Maagnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Tohmpson, E. C.
Morpeth, Viscount
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East
Smith, F. E. (Liverpool, Walton)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Tuke, Sir John Batty
Turnour, Viscount
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley (York, E. R.)
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Lord Balcarres.

Amendments proposed—

"In page 1, line 28, and page 2, line 1, to leave out the words 'send an acknowledgment of the receipt of the said notice, and.'"

"In page 2, line 1, to leave out the words 'sending,' and insert the words 'giving.'"

"In page 2, line 7, to leave out all after the word 'withdrawn,' to the end of the sub-section, and insert as new paragraphs, 'A person desiring to withdraw his notice of selection must give notice of withdrawal to the clerk of the county council or town clerk acting for the constituency the selection of which is to be withdrawn, by delivering or causing to be delivered or sending by post to the clerk a notice to that effect signed by him. The clerk shall send an acknowledgment of the receipt of every notice of selection or withdrawal received by him, and shall retain and preserve all notices so received, and allow any person to inspect these notices on payment of a fee not exceeding one shilling."

"In page 2, line 9, to leave out the words 'intent to evade,' and insert the words 'the intention of evading.'"

"In page 2, line 11, to leave out the words 'sends or causes to be sent a,' and insert the word 'gives.'

"In page 2, line 15, to leave out the words 'sends or causes to be sent a,' and insert the word 'gives.'

"In page 2, line 19, at end, to insert, (4) 'A Court before whom a person is convicted under this section of the offence of personation or of an illegal practice may, if they think it just under the circumstances of the case, mitigate or entirely remit any incapacities imposed by Section 6 or Section 10 of The Corrupt and Illegal Practices Prevention Act, 1883, and if on application made it is shown to the High Court that any person has acted in contravention of this section without any intention of evading the provisions of this Act the Court shall have a similar power to grant relief as is contained in Section 23 of the said Act.'"

"In page 2, line 19, at end, to insert, 'If any person forges or fraudulently alters or uses or fraudulently gives or allows to be given by any other person any notice of selection or withdrawal under this Act, he shall be guilty of an illegal practice within the meaning of The Corrupt and Illegal Practices Prevention Act, 1883.'"

"In page 2, line 19, at end, to insert 'If any person directly or indirectly by himself or by any other person on his behalf induces or attempts to induce any person to refrain from voting as a Parliamentary elector by informing that person that he is registered in two or more constituencies knowing that he is not so registered, or without having reasonable ground to believe that he is so registered, that person shall be guilty of undue influence within the meaning of Section 2 of The Corrupt and Illegal Practices Prevention Act, 1883.' "

"In page 2, line 19, at end, to insert 'If on an election petition the vote of any person is objected to on the ground that it has been given in contravention of this Act, the vote shall not be rejected on that ground if the voter satisfies the Court that he did not know that he was registered in any constituency other than that in which he has voted.' "

"In page 2, line 19, at end, to insert 'If any clerk of a county council or town clerk wilfully fails to perform any duty imposed on him by or in pursuance of this Act, he shall be liable to forfeit to any person aggrieved the penal sum of one hundred pounds, or such less sum as the Court before whom the action for the recovery of the sum is tried shall consider just.' "

"In page 2, line 30, to leave out all after the word 'constituency,' to end of subsection.' "

"In page 2, line 38, after the word 'with,' to insert the word 'the.'

"In page 2, line 38, to leave out the words 'to evade,' and to insert the words 'of evading.' "

"In page 3, lines 7, 8 and 9, to leave out the words 'as respects Ireland under Section 3 of The Parliamentary Registration (Ireland) Act, 1885.' "

"In page 3, to leave out lines 17 and 18, and to insert 'The expressions 'elector' and 'person entitled to vote' and other similar expressions when used in any Act of Parliament, whether passed before or after the commencement of this Act, shall, except so far as the contrary intention appears, and except so far as necessary to carry out the provisions of this Act, be construed to include any person registered as a Parliamentary elector in any constituency, although under the provisions of this Act he may be debarred from voting in that constituency, subject as follows.' "

"In page 3, line 22, to leave out the word 'section,' and to insert the words 'sections one and.' "

"In page 3, line 23, to leave out the words 'that Act,' and to insert the words 'The Corrupt and Illegal Practices Prevention Act, 1883.' "

"In page 3, line 23, at end to add '(2) A person registered as a Parliamentary elector in any constituency shall not be treated as a 'voter' 'elector,' or 'registered elector' in that constituency for the purposes of the First and Third Schedules of The Parliamentary Elections (Returning Officers) Act, 1875, or the First Schedule of The Corrupt and Illegal Practices Prevention Act, 1883, if his place of abode, as entered in the register, is not the same as his qualifying premises as so entered, and he has not selected that constituency as his voting constituency under this Act. The clerk of the county council or town clerk shall enter in his summary of the number of Parliamentary electors or otherwise on the register, the number of those electors whose place of abode is entered on the register as not the same as their qualifying premises as so entered, and who have not selected the constituency in question as their voting constituency under this Act.' "—(*Mr. Harcourt.*)

"In Clause 6, page 3, line 31, after the word 'also,' to insert the words 'for the purposes of this Act.' "

"In page 4, line 2, at end, to insert the words 'the Court of Session acting subject to the provisions of sub-section (4) of Section 68 of The Corrupt and Illegal Practices Prevention Act, 1883, shall be substituted for the High Court; the sheriff shall be substituted for a court of summary jurisdiction or county court, the Lord Advocate shall be substituted for the Attorney-General.' "

"In page 4, line 2, at end, to insert the words 'A reference to the Schedule of The Parliamentary Elections, Returning Officers Expenses (Scotland) Act, 1878, and to the Schedule of the Returning Officers (Scotland) Act, 1891, shall be substituted for a reference to the First and Third Schedules of The Parliamentary Elections (Returning Officers) Act, 1875.' "—(*The Lord Advocate.*)

"Schedule, page 5, line 9, after the word 'not,' to insert the words 'to my knowledge.' "

"Schedule, page 5, line 20, after the word 'constituency,' to insert the words 'knowingly, and with the intention of evading the provisions of the Plural Voting Prevention Act, 1906.

"Schedule, page 5, line 24, after the word 'and,' to insert the words 'subject to the provisions of that Act.' "—(*Mr. Harcourt.*)

Amendments agreed to.

Bill to be read the third time Tomorrow, and to be printed. [Bill 358.]

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS.

Thursday, 29th November, 1906.

COMMISSION.

The following Bills received the Royal Assent:

1. Marriage with Foreigners.
2. Sale of Intoxicating Liquors (Ireland).
3. Clydebank and District Water and Burgh Extension Order Confirmation.
4. Blairgowrie, Rattray, and District Water Order Confirmation.
5. Edinburgh Corporation (Superannuation) Order Confirmation.
6. Metropolitan Electric Supply.
7. Dover Harbour (Works, etc.).
8. Great Northern Railway (Ireland).

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions for amendment of—of inhabitants of Mountain Ash; Hyde; South Hylton; Hoveringham; Nempnett; Manchester (St. Gabriel's, Hulme) (2); Oakworth; Barton-le-Street; Stanton-in-the-Peak; Youlgrave; Worth Matravers; Garpole; Halton and Moston. Of teachers in non-provided schools in Bristol; and Church School teachers and managers in London.

Read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against—of inhabitants of, or parents of children attending schools in parishes of Fenny Drayton; Wakefield (All Saints); Newport (St. Marks); Sydenham (St. Barts); Newport (St. Woolos); Parkfield-in-Middleton; Wilby; Campsall; Heath; Stoke-on-Trent; Great Addington (2); Hault; Broughton (St. Clements); Leicester (St. Peter); Kirkdale; Southwark; Oldham (St. Paul); Houghton; Congresbury; Blaenavon; Monkton Combe; Llanigon; Moordown (2); St. Andrews Major (Dinas Powis); Darwent (St. James); Much Dewchurch (2); Undy; Bishopswood; Knottingley; Barming; Hale; Hardwicke-cum-Weedon; Thame; Compton; Stewkeley; Radley (2); Littleworth; Hedgerley and Deane; Cowley (St. Johns); and Peterborough. Of trustees of Church of England Schools in England and Wales.

Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

RAILWAY AND CANAL TRAFFIC ACT, 1888.

Ninth Report by the Board of Trade of proceedings under Section 31 of the Act, including proceedings upon complaints made under Section 1 of the Railway and Canal Traffic Act, 1894: Laid before the House (pursuant to Act), and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Order of the Day for receiving the Report of the Amendments read.

Moved, "That the Report be now received."—(*The Earl of Crewe.*)

*THE MARQUESS OF LANSDOWNE: My Lords, I hope your Lordships will not consider that I am trespassing on your indulgence, or disregarding the usual forms of the House, if I venture to say a very few words to you on the subject of the Amendments on the Paper, and on those which your Lordships have already accepted. Whether your Lordships approve of that course or not, I am sure you will be with me in one observation which I desire to make at the outset, and that is to express my regret that the most rev. Primate should be prevented by indisposition from being here to-night. It is not necessary for me to dwell on the distinguished part he has taken in these debates. Those who had the advantage of listening to his speeches on the Second Reading of the Bill, on going into Committee, and in Committee itself must, I think, have admitted that there have been few occasions on which an individual Member of this House has borne a larger or a more honourable part in the discussion of a great subject. And, if I may be permitted to say so, it seems to me that the speeches which he has delivered are in themselves a sufficient answer to what

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

I must say has always seemed to me to be a most preposterous suggestion—namely, that there is something excessive or improper in the part which has been taken by the Episcopal Bench in this controversy. They can claim, if any Members of this House can claim, to be experts on this subject, and I think we may say without hesitation that their expert knowledge has been imparted to us in a manner which we all appreciate and value.

I observe, my Lords that complaint has been made of the inordinate bulk of the House of Lords' Amendments. To my mind, that is a most inconclusive argument. Surely, in a case of this kind we do not measure the Amendments by the standard of the foot rule. Surely we have a right to consider what backing of common sense and common justice lies behind them, and, if we are to be told that our Amendments bulk too large, I hope noble Lords opposite will remember the great difficulty of the task which they have given to us. Can any of your Lordships recollect a Bill more intricate and perplexing than the Bill on the Table of the House, and although the subject itself is a perplexing one, it has, if I may be pardoned for saying so, been rendered more perplexing by the manner in which it has been presented to us by His Majesty's Government.

For, my Lords, His Majesty's Government did not start, as they might have started, with the frank admission that in this country it was desirable that there should be some variety in our system of national education. They started, on the contrary, with an attempt to establish a hard and fast rule for the whole of our schools, and with one sweep of the net they brought within its compass the whole of the 14,000 voluntary schools of England. Although no doubt their hearts smote them, and although they did make an attempt here and there to enlarge the mesh, so as to allow a certain number of schools to escape, they guarded the exit so closely that even those schools which may be so fortunate as to extricate themselves, find themselves not restored to their former position of freedom, but subject to a most irksome and harrowing tutelage. In the result you have given us a Bill containing concessions, most of which we regard as worthless, and you offer us in substitution for the system which you are abolishing a system under which no local education authority need provide or permit any religious instruction, denominational or undenominational; a system under which no parent need send his child to receive such religious instruction; a system under which no teacher, however willing, could be required to give it. I must say that when you offer us these terms you offer us, not a settlement, but a capitulation.

Another thing which is to be borne in mind is this—that the bulk of the clauses of this Bill were never properly discussed before they came to this House. One House of Parliament owes a great deal to and derives great benefit from the discussions which take place in the other. We had no such assistance in the case of a great number of the most important clauses in this Bill. We all of us on this side acknowledge the unvarying courtesy with which we have been met by the noble Earl the Lord President of the Council, but to that we must, I am afraid, add that under that courteous exterior there lurked an amount of dogged tenacity which we may indeed have admired, but which did not lend itself to an amicable settlement of many of these thorny points. We had the grope our way unassisted amongst puzzles and pitfalls of this Bill, and I am quite prepared to admit that many of the Amendments which we have inserted in it may be somewhat inartistic in their structure. I am not surprised that that should be so. But if they were inartistic, we were, at any rate, able to support them by weighty arguments, a great many of them supplied by Ministers themselves, those very Ministers who now give us to understand that our Amendments are so excessive that they are not even to be considered or discussed.

I pass for one moment to the clauses of the Bill. I observe that there are one or two Amendments put down to the first clause. As to that, may I say that we deprecate any further alteration of that clause? It is the clause under which public control, which we are told is the principle of the Bill, is asserted. We have inserted in it a single Amendment which we do not regard as inconsistent with that public control, and we should be sorry to see any further attempt made to alter the wording of the clause. With regard to Clause 2, this is certainly a clause in which we have inserted very lengthy Amendments. I am quite ready to admit that, so far as the form of the clause as it now stands is concerned, it may be capable of improvement, but in point of substance we shall certainly adhere to the Amendments which we have inserted. In our view it should not be left open to any local authority to refuse to take over a school which is able to comply with what I may call the statutory conditions merely because that local authoriry, for reasons of its own, would prefer that the school should not be taken over. That is the substance of our Amendment; the form does not matter very much to us. I dwell on that because I see that the noble Duke below the gangway (the Duke of Devonshire) has put down Amendments with the object of restoring Clause 2 to the shape in which it first reached this House, but he has also put down other Amendments, in the form of a new clause, which have the effect of providing that, if the local authority decline to take over a school, an appeal shall lie to the Commission, which shall make a scheme if what I have called the statutory conditions are complied with. Those Amendments read together seem to give us all that we desire, and if in point of form they appear more satisfactory to His Majesty's Government, we shall be very glad to see them substituted for the provisions of the Bill as they now stand.

I come to Clause 3. My noble friend Lord St. Aldwyn has put down an Amendment which has the effect of removing from the Bill the Amendment which your Lordships accepted at the instance of the right rev. Prelate the Bishop of Oxford. I believe a considerable number of the noble Lords who voted for the Bishop of Oxford's Amendment had some doubts, on reflection, whether they were wise in supporting it. We, at any rate, regarding the matter as one rather of degree than of principle, concur with my noble friend behind me in desiring that the clause should be restored to its original shape. Then, my Lords, on Clause 3 there arises an extremely important point in connection with what we usually speak of as the grant of facilities to council schools in single school areas. I have never heard a discussion upon this question in which the grievance of the minority in single school areas was not admitted, and I believe it will be the view of your Lordships generally that this Bill will be incomplete if some attempt is not made to deal with that grievance. I speak of the grievance of the minority in single school areas, no matter what the complexion of the single school is, whether it is a Cowper-Temple school or a denominational school of any kind.

Here your Lordships will recollect that a very important Amendment was moved by my noble friend Lord Balfour of Burleigh, but in the opinion of many of your Lordships that Amendment went too far, and it was not pressed to a division. We do not desire to revive it, and we understand the reluctance which has been expressed in many quarters to anything which could be regarded as a needless interference with the council schools, but we do think that in some cases such interference is necessary. With that object the House accepted an Amendment of the right rev. Prelate who presides over the see of Hereford. But your Lordships will remember that his Amendment provides only for the case of single schools in rural areas. We regard that distinction between rural and urban areas as an arbitrary and unreasonable distinction. Moreover, we have satisfied ourselves on inquiry that the Amendment inserted at the instance of the right rev. Prelate is one which would present almost insuperable difficulties of an administrative kind. We, therefore, think that other words should be inserted in the Bill, and my noble friend, Lord Salisbury, will move to insert words with this object, allowing Section (3) facilities for a reasonable number of children, only if the local authority are satisfied that the children cannot conveniently attend other schools, and "so far as shall be reasonably practicable." I am tempted to hope that as this wording allows considerable discretion to the local authority, His Majesty's Government, whose watchword in these debates has been confidence in the local authority, will not regard the Amendment as open to serious objection.

In Clause 4 our object has been, as we have often told your Lordships, to render these facilities attainable by those whom they are intended to assist. We have made the clause mandatory because we believe that if you lay down, as you do in this section, very stringent conditions, it should follow as a matter of course that those who are able to fulfil those conditions should have the boon promised to them by the clause in question. In the same way we have abolished the distinction between urban and rural areas, because we regard it as an arbitrary and inequitable one. But further on in the clause there arises a point of very serious difficulty. I refer to the provision in which we have laid down that the view of the majority of the parents is to prevail. In my opinion a very strong case was made in favour of the substitution of the bare majority for the original proportion of four-fifths. I have never myself been able to see why in the case of these schools it should be put within the power of a minority of the parents to disturb the well-established condition of things.

But, my Lords, I must add to that that when I supported the proposal that the majority should be allowed to prevail, I did so because I hoped to see words inserted further on in the Bill under which a very liberal and generous provision would be made to meet the requirements of the minority in these extended facilities schools. Your Lordships will recollect that Lord Cadogan moved an Amendment with this object, and that it did not find favour with the House. That having happened, I regard the case in favour of the majority as compared with a fraction as having become much less strong, and therefore I am prepared to support my noble friend Lord Londonderry's proposal that we should substitute for a bare majority the fraction of two-thirds. But I must add that, in my opinion, the two-thirds should be calculated not on the basis of the total number of parents, but on the basis of the number of parents actually taking part in the ballot. I have never been able to see on what reasonable grounds those parents who are so indifferent to these things that they absent themselves altogether from the ballot are to be counted as if they were actual opponents of the desired facilities.

There is one other point in Clause 4 to which I must refer. It is impossible for us to leave that part of the clause which follows exactly as it stands. We have so framed it, owing to the accident of debate, that in its present shape it leaves it open to one dissentient child to stand in the way of the granting of extended facilities to a school, even if that school for all other reasons is fully entitled to such facilities. That was not the intention, I believe, of your Lordships' House, and we must find some means of correcting it. I have ventured to put an Amendment upon the Table with that object, and I shall have the honour of explaining it to the House later in the evening.

With regard to Clause 5, I am glad to see that His Majesty's Government have reconsidered their attitude in regard to appeals, and are bringing up Amendments which, whatever we may say of the details, seem to us to contemplate a more businesslike mode of dealing with the whole question of appeals under this Bill. Of the other clauses I need say but little. With regard to Clause 6, our only desire is that the procedure for obtaining facilities for new schools should not be of an obstructive character, and that it should be founded on the lines on which the earlier clauses are drawn. With regard to Clause 7 we desire to make no change.

With regard to Clause 8, the teacher clause, we are again convinced of the reasonableness of the Amendments which we have inserted. As the clause came up to us it prohibited the teachers under Clause 3 from giving anything but Cowper-Temple teaching. It also left it open to the local authority to refuse permission to teachers in Clause 4 schools to give denominational instruction. These proposals seemed to us an outrage upon the liberty of the teachers, detrimental to the interests of education, and likely to render the facilities offered in these schools of an entirely nugatory character. Therefore, we propose to adhere to the Amendments which we have made. In Clause 15 my noble friend Lord Belper will, I understand, propose an Amendment which will bring the clause more nearly into the shape which His Majesty's Government were prepared to approve the other evening. The only other serious alteration your Lordships made in the Bill is that contained in Clause 26. I see that the noble Lord opposite is going to make an attempt, if I may so describe it, to sweep up and piece together the fragments of the Welsh

Council, which my noble friend Lord Cawdor so effectively demolished the other day. I hope the attempt will not be successful.

I have enumerated the Amendments which we have made and desire to make; and I put it to your Lordships whether these demands are really excessive or unreasonable, and whether we are open to the charge of having transformed the Bill, or of having added to it excrescences of such a kind as to make it unrecognisable by its authors. We have admitted to the full the principle of popular control. We have admitted that there shall be no tests for teachers. I do not really believe that on that point we differ in principle from the noble Earl the Lord President of the Council. We have admitted that the denominations must pay for the religious instruction which they require. We may expect, out of doors, that there should be a certain amount of ill-informed criticism of the action of your Lordships' House; but I trust that in this House we shall not hear any language of the kind, and that we may look to the noble Earl opposite and his colleagues to assist us in quelling the flood of misrepresentation by which our action has been obscured.

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, we certainly have no complaint to make on this side of the House of the course which the noble Marquess has thought it right to take on this Motion. On the contrary, I think the House will be disposed to agree that, in making the statement he has, and in going briefly through the various Amendments which appear on the Paper, he has contributed in no small degree to the saving of time at a moment when time is becoming rather valuable.

We also agree very completely with what the noble Marquess has said as to the great loss which our deliberations sustain at this moment by the absence of the most rev. Primate. Needless to say, we deeply regret his illness, which, on personal grounds, I trust is not serious. All on this side of the House recognise the great knowledge of the most rev. Primate on this subject, and his earnest desire to be fair; and although we are not able to agree in all the conclusions which he reaches, yet we frankly admit that he, more than some other Members of your Lordships' House, desires to take a generally moderate view of this question.

The noble Marquess said that complaint had been made of the bulk of the Amendments. That, no doubt, is true to some extent, because, when Amendments have to be considered mere bulk makes that consideration more difficult. But I am bound to say that the general complaint on this side of the House, and of those who support us in the country, has referred less to the bulk of the Amendments than to their quality. The noble Marquess appealed to his supporters to say whether after all the majority here had done anything but carry out the dictates of common justice. That is really to beg the question. We naturally all think that our own views when translated into words exhibit not merely common justice, but even uncommon justice; and therefore I am afraid that the noble Marquess's boast, if I may call it so, does not carry us very much further.

Then the noble Marquess said that we had attempted to bring in a system of schools without variety. We frankly admit that we did aim as far as possible at the establishment of a national system of schools, but we also had from the first equally to admit that it was impossible in this country to have only one type of school. We did desire, however, that there should be a general national system, and that those schools which could not fall into that system should be treated as exceptions. Our system, we again frankly admit, was an undenominational one, and the effect of the Amendments of noble Lords which have been passed, and some of those which no doubt will be passed before very long, is in our opinion to continue a denominational system. It is on that simple ground that we have based the statement made inside and outside the House, and likely to be made again, that your Lordships have altered the essential character of the Bill, and have in so doing made it exceedingly difficult to discuss the question on the lines upon which we should ourselves desire to discuss it.

The noble Marquess also complained that some portions of the Bill had been imperfectly discussed in another place.

I am afraid that, as business is now done in Parliament, that is a complaint which is always likely to be made about a Bill of great importance and of great length; but I do not think, so far as the really controversial parts of this Bill were concerned, that that can to any very great extent be said. The controversies which circle round Clauses 3 and 4 did meet with a very adequate degree of discussion in another place; and though the noble Marquess is within his right in saying what he did, I do not think that, as far as regards the special questions in which your Lordships have been so actively concerned, the charge can be said to have any real basis.

I was exceedingly grateful to the noble Marquess for what he was good enough to say about my conduct of the Bill. I have endeavoured to the best of my powers to satisfy what seemed to me at times the almost insatiable curiosity of noble Lords opposite on the questions that have arisen, and if I have succeeded, I am exceedingly happy that it should be so. But the noble Marquess went on very kindly to say that all the same I had been very far from showing anything like a spirit of compromise. I should like to point out that when a Bill comes up from another place to this House and is placed in charge of a Minister, it cannot be considered to be the duty, or even within the province, of that Minister to amend it on Second Reading as he goes along. He is obliged to hear what are the particular points to which the Opposition take exception, and he is obliged to see, in the case of a minority such as we are, what steps the majority take to carry their disapproval of certain provisions into effect. Consequently, my Lords, although it might have been possible for me to say as we went along what were the points which we considered absolutely crucial and those to which we did not attach the same degree of importance, yet I do not see that it would have in any way assisted the deliberations, and I am quite certain it would not have altered in the slightest degree the result we now see in the Bill as it now appears.

The House will not expect me to follow the noble Marquess into the lucid description which he gave of the Amendments as they appear on the Paper. We are most grateful to him for giving us this bird's-eye view, and it will tend to a saving of time if I do not follow the noble Marquess into the merits or the demerits of particular Amendments. That would be better done when we reach them; therefore your Lordships will forgive me if I now ask that we may proceed to the consideration of the Amendments.

On Question, Motion agreed to.

Bill, as amended, considered.

THE EARL OF CREWE then moved an Amendment in the first Clause, postponing the date when the provision should take effect from 1st January, 1908, to "July," 1908. The noble Lord said: This is an Amendment to which I am sure the noble Marquess's observations about Clause 1 do not apply, and it is in pursuance of a promise which I gave to postpone the operation of the Bill in its essential features for some little time. I think it was the noble Earl opposite, Lord Camperdown, who had an Amendment on the Paper in the Committee stage and who proposed, as does the noble Viscount opposite, Lord St. Aldwyn, that the operation of the Bill should be postponed for a year. We think that unnecessarily long. We agree that some postponement is quite reasonable, owing to the fact that it certainly was hoped that the Bill might have been passed before the House adjourned for the Autumn; and that the Autumn months, including the time we are now spending here, might have been devoted by authorities and owners of schools to the making of friendly arrangements. These hopes having been baffled, it seems to us reasonable to place the 1st of July in Clause 1 instead of the 1st of January. Perhaps it would save time if I proceed to point out that we propose to make a similar alteration in the dates throughout the Bill, with the exception that we do not put off the work of the Commission for quite so long as six months. We put the Commission down for the 1st of May. That gives four months, supposing the Bill to come into operation on the 1st of January next, for the purpose of bargaining before the Commission would be sitting to undertake the transfer of schools. All the other dates are postponed for six months, and, therefore, when I come to those Amendments, in due course, I shall merely move them as consequential

Amendment moved—

"In page 1, line 7, to leave out the word 'January, and to insert the word 'July.'"—(*The Earl of Crewe.*)

*VISCOUNT ST. ALDWYN said the Amendment standing in his name on the Paper, postponing the coming into force of the Act for a year, was put down with the object of calling the attention of their Lordships to the matter and before he knew that the Lord President had also placed an Amendment on the Paper dealing with this point. He had no wish to press his Amendment against that of the noble Earl. The extension which the noble Earl proposed was, of course, nothing more than the extension necessitated by the delay in arriving at the final stage of the Bill. But was the noble Earl quite satisfied that the additional time proposed to be given would suffice in all cases? If he was not, might it not be well to add, after the words "one thousand nine hundred and eight," the words "or such later date as His Majesty in Council may appoint for any district on the application of the local education authority of the district." That would enable any exceptional case to be met."

THE EARL OF CAMPERDOWN asked the noble Earl in charge of the Bill if, in selecting the 1st of July, he had taken into consideration whether that date was a convenient date with reference to the annual accounts, the payment of grants, and other matters of that kind. If he had not, then no doubt the words which the noble Viscount had just suggested might be of assistance to him.

THE EARL OF CREWE: I think there is something in the point which the noble Earl has made, although as the grants are now paid I do not know that one date is very much more convenient than another. We should not, of our own motion, have inserted the words proposed by the noble Viscount; but, if he strongly wishes to see them in, and noble Lords opposite think it would be desirable to insert them, I will not make any further objection.

On Question, Amendment agreed to.

Amendment moved—

"In page 1, line 8, after the word 'eight' to insert the following words, 'or such later date as His Majesty in Council may appoint for any district on the application of the local education authority of the district.'"—(*Viscount St. Aldwyn.*)

On Question, Amendment agreed to.

THE EARL OF MEATH, who had given notice to move the insertion of the following new sub-sections—

"(2) In all public elementary schools, with the exception of such as shall come within the operation of Clause 4 of this Bill, the parents of the children attending the school shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who, together with two other persons nominated by the local education authority, shall be known as the parents committee. The parents committee shall be responsible for and have the control of the religious instruction given in the school.

"(3) A ballot for the purposes of this section shall be taken in accordance with regulations made for the purpose by the Board of Education, and those regulations may incorporate any of the provisions of the Ballot Act, 1872 (including the penal provisions thereof).

"(4) It shall be the duty of every local education authority to test the efficiency of any religious instruction given under the provisions of Section 14 of the Elementary Education Act, 1870, in the school or schools under its control by arranging for adequate inspection and examination of the children, which shall take place not less than once a year, and every such authority shall draw up a report as to the results of such inspection and examination, which shall be accessible to the parents of the children attending the school or schools, and to the ratepayers of the respective districts of such authorities—

said he regretted that the noble Marquess the Leader of the Opposition could not see his way to accept this Amendment, and after——

THE EARL OF CREWE: I think that I ought, in the interest of time, to interrupt the noble Earl. It does seem to me that this is a very singular place in which to propose the insertion of the parents' committee. I do not see that it bears any particular relation to Clause 1. It ought, I think, to be a clause by itself. Consequently, so far as regards Sub-sections (2) and (3), I think the noble Earl ought to postpone them. Sub-Section (4) is, of course, another matter; but that, again, does not seem to me particularly relevant to Clause 1.

THE EARL OF MEATH repeated his regret that the noble Marquess could not see his way to accept the Amendment, and said that in the circumstances he could not hope successfully to press it. He desired, however, to make clear that the object of the Amendment was simply to safeguard the rights of parents in all public elementary schools, to ensure that the simple Bible teaching which was to be given at the expense of the ratepayers should be effective, and that all rate-supported schools should receive equality of treatment in religious teaching. He had hoped that, inasmuch as he was only desiring to see that the religious teaching under the Cowper-Temple Clause should be effective, he would have received the support of His Majesty's Government. In the circumstances, however, he would not move his Amendment.

THE DUKE OF DEVONSHIRE rose to move the first of a series of Amendments of which he had given notice. He said: My Lords, the Amendments of which I have given notice would have the effect of restoring Clause 2 to the form in which it orginally came to this House. The first Amendment, as well as the other of which I have given notice in relation to Clause 5, is, however, purely consequential on a third Amendment, of which I have given notice on Clause 9, and of course I should have preferred, if it had been possible, to have postponed what I have to say until we arrived at that clause to which the really essential part of my Amendment relates. But, as the arrangement of the Bill does not admit of that course, I think I had better say what I have to say with regard to Clause 2, postponing a full discussion on my principal Amendment until we arrive at the clause to which it relates.

This Amendment is, as I have said, entirely consequential upon the proposal which I shall later have to make, and which to a very great extent is in the same direction as certain new clauses or sub-sections in Clause 9, of which notice has been given by the noble Earl the Lord President of the Council. I desire, as far as possible, to postpone any discussion upon it until we come to Clause 9, but I think it would not be premature to point out that the general intention of my Amendment, as well as of the noble Earl's Amendment, is to entrust the Commission appointed under this Bill with larger powers and wider discretion in framing schemes for the transfer of voluntary schools to the local authorities than they would possess under the Bill in its present form. If this were done, as I hope the united efforts of my noble friend and myself may enable it to be done, I think we shall find that it will be possible to restore Clause 2 to its original form.

The necessity for introducing the obnoxious word "shall" into this clause, and for the elaborate provisions which we have inserted at the end of the clause, arose from the fact that up to the present time the Government have declined to give us any security whatever that schools which were structurally fit to be transferred to the authority, and schools which were required in order to give to the children attending them that kind of instruction, including religious instruction, which the parents desire, might not be capriciously rejected by the local authority and eliminated altogether from the educational provision of the district. That was a possible grievance and a possible hardship, the existence of which has always been admitted.

It was admitted over and over again in the course of the discussions in the other House that a gap existed in the provisions of this Bill, that the offering of certain facilities for religious instruction to be given in transferred schools was a perfectly illusory proposal if no security existed that those schools would ever be transferred at all; and with the object of remedying this grievance, or preventing the occurrence of this injustice, the President of the Board of Education introduced in the other House what was called a bilateral clause, which would have given to the owners of schools an appeal to the Board of Education in the case where an authority declined to take over the school-house and, on the other hand, would have given an appeal to the local authority against a private owner who was unwilling to part with the school which was his property. Although the bilateral clause was introduced in the other House, the moment the Government found that it was not received with open arms by the Opposition on account of its bilateral character, they not only offered to withdraw it, but actually voted against their own clause. Therefore the Bill has come to us without any security whatever against what has been, throughout these discussions, admitted to be a possible grievance and injustice.

In these circumstances there existed a necessity for us in this House to attempt to find some remedy for the injustice which the Government had admitted, but had altogether failed to provide for, in the other House of Parliament, and that was the ground upon which those elaborate Amendments were introduced into this clause in the course of the discussions in Committee. Although I think this course was forced upon us by the refusal or the failure of the Government to provide any remedy against this injustice themselves, still I am bound to admit that very few can consider that the clause as it now stands is in a perfectly satisfactory state. It is no doubt of a somewhat cumbrous character. It provides, in the first instance, that every school shall be taken over by the local authority. It imposes upon the Commission the necessity of making a scheme for the transfer of every school, and, in the last place, it provides an appeal to the Board of Education by which the local education authority can be relieved of the possession of a school which it does not want. That, I think, is no doubt a somewhat cumbrous and unwieldly proceeding.

It may also be open to some of the objections which were urged against it by the President of the Board of Education in the speech which he recently delivered at Bristol. Your Lordships will remember that perhaps the most bitter of the complaints made by Mr. Birrell in that speech related to the enormous amount of work which would be thrown by this Bill, and especially by this clause, upon the Board of Education, work which, he said, it was quite impossible for his officers or himself to undertake, work—I understood him to say—which, if he or any future President attempted to undertake it, would end in removing him from his office either as a worn-out corpse or as a raving lunatic. I must point out that this clause, of which Mr. Birrell made these piteous and pathetic complaints, was not the invention of this House. It was the invention of Mr. Birrell himself.

In July last Mr. Birrell was prepared to undertake that the Board of Education should consider any appeal by the owners against the decision of the local authority not to take over their school. I am not aware that the numbers of appeals which would have come to him under that proposal would have been any fewer than the 7,000 which he anticipates under the present proposal; but he was perfectly ready to undertake this task if, on the other hand, he was allowed to undertake the additional task of deciding on the appeals of the local authority against the refusal of an unwilling owner to transfer the school. Therefore, my Lords, I do not see that if Mr. Birrell has reason, as he thinks, to complain of this scheme as sent to him from this House, he would have had less reason to complain of the work which would have been thrown on himself and his Department if the bilateral clause which he introduced in the other House had been accepted. Whatever might have been the limits of that bilateral clause it certainly could not have had the effect of reducing, but rather of increasing, if not of doubling, the work thrown on the Department and its unfortunate President.

But, my Lords, while, in my opinion, our clause is at all events no worse than that which was suggested by Mr. Birrell in the other House, I cannot, as I have already said, believe that either of them is satisfactory, and I think that it is our duty to try to discover some means by which this admitted grievance may be remedied in a more simple and satisfactory manner and in a way which will not impose so great a burden on the Education Department. When the Bill has become law the first step to be taken will, I conceive, be for the local education authority to enter into communication with the owners of schools to inform them which, if any, of those schools they propose to take over, and on what terms they are willing to take them over. At the same time, almost simultaneously, the owners of existing voluntary schools will communicate to the respective local authorities which of their schools they desire to hand over, and in making that communication they will also state what demands they make, what sort of facilities they require, and the provisions they want for their own use of the school out of school hours, what provisions they require as to rent, and, in fact, will explain fully the terms upon which they are disposed to transfer their schools.

In many cases, I trust in a great many cases, I think probably in a great many more cases than Mr. Birrell seems to anticipate, there will be voluntary arrangements as to all these matters. In those cases where the parties agree, where the authorities and the owners can agree, subject to the approval of the Board of Education, who, of course, must be satisfied that the terms of agreement are within the limits of the law, the transaction will be complete and need never go before the Commission or any other authority. In other cases no doubt there will be differences. There will be differences as to which schools shall be transferred and which be left out; there will be differences as to the terms on which they are to be transferred; there will be differences as to the facilities asked for, and, for all I know, there may be differences on many points which do not at the present moment occur to me. The suggestion which I have endeavoured to embody in the addition to Clause 9, which I shall subsequently move, is that at this stage of the proceedings, both parties should be afforded equal access to an impartial tribunal such as the Commission appointed by this Bill; that they should have access to this tribunal, not by way of an appeal against something which has been done, or which has been left undone, but as an initial step in the procedure. I suggest that both parties should have an equal right to apply to the Commission to frame a scheme for the transfer of the school which one party wants to acquire and the other party wants to transfer, and to frame a scheme by which both parties would be bound, and give the final decision on all the points involved in the disagreement between the two parties. I conceive that the Commission appointed under this Bill is the right body to undertake this task. Such a transaction as is contemplated by this measure, the transfer of a very large proportion of the existing 14,000 voluntary schools, is one in which necessarily questions of every kind must arise. They cannot all form the subject of voluntary agreement, and questions of difference, with the best will in the world on both sides, must arise, and all those questions must be decided by someone. It would not be just, in our opinion, and I do not think noble Lords opposite would contend that it would be just, to leave the decision of all the questions which will arise in this great transaction to the sole judgment of the local authority.

It is not to express any distrust of the local authority to say that that authority, no more than any other persons, can be safely trusted to be the judges in their own cause. It therefore cannot be left to the sole judgment of the local authority. It cannot, in my opinion, with advantage be left to the Board of Education. The Board of Education do not want to undertake the solution of all these questions, and if they did I should say again of them that they would be in these circumstances, to a certain extent, the judges in their own cause. Then it seems to me to follow, as the consequence of all these circumstances to which I have referred, that the right and proper body to which these questions of difference ought to be referred is the Commission appointed under this Bill, and that if, as at present constituted, that Commission is not competent to entertain and decide all these questions, the proper remedy would be to enlarge to the necessary extent both the powers and perhaps the constitution of that Commission. This is the proposal which I have endeavoured to embody in the Amendment which I shall propose to Clause 9.

It probably would not be in order, and certainly I do not desire at present, to elaborate that proposal further. I believe, as I have said, that the new clauses proposed by the noble Earl the Lord President of the Council are very much in the same direction as the further clauses of which I have given notice. I hope that by the adoption, either of the President of the Council's clauses, or of my own, we may be able to arrive at a satisfactory conclusion as to the body which should decide upon these questions. I believe there is now, since those clauses were put on the Paper by the Government, so little difference between us that we may assume that when we come to Clause 9 we shall arrive at an agreement on the subject. I think I may safely, under those circumstances, recommend to your Lordships that we should allow this clause to revert to its original form, in which it dealt only with voluntary arrangements, reserving to ourselves that power which it is possible for us to exercise under the procedure which prevails in this, but not in the other, House—the power on the Third Reading, if we should, unfortunately, as I hope we may not, fail to come to an agreement on the proposals which are made as to Clause 9, of reinstating this clause in the form in which it now stands, believing, as we do, that it is an absolute necessity that some provision should be made against the possible hardship and injustice which might occur if the question remained in the state in which it was sent to us from the other House of Parliament.

Amendment moved—

"In page 1, lines 12 and 13, to leave out the words 'shall if required by the owners continue,' and to insert the words 'for the purpose of continuing.'"—(*The Duke of Devonshire.*)

THE EARL OF CREWE: My Lords, the noble Duke in this Amendment, and in the subsequent Amendments which hang together with it, has made a proposal which is no doubt of the first importance, and it is perfectly true that so far as part of his proposal is concerned I have various Amendments on the Paper, dealing with Clauses 5 and 9, which are of a kindred nature to those of my noble friend. There is, however, this one important difference between his suggestions and mine, that my proposals deal only with schools under Clause 4, whereas the noble Duke's deal with all schools. As we understand the Bill, we, as the noble Duke has told us, made it compulsory for no local authority to take over a school in consideration of which only the minor facilities were likely to be demanded. It was only in the case of the demand of the major facilities that a compulsion might, under certain circumstances, be put upon the authority if they went before the Commission.

It is quite true, as the noble Duke says, that there was a certain possibility of what he called hardship arising in the case of these schools if the authority refused to take any over. It might so happen that you would have a large district in which the local authority did not give much religious instruction of its own, and at the same time declined to take over any school, and, therefore, a large district might be left with an important minority of children whose parents desired denominational teaching and were unable to get it. Against that, of course, it was necessary to set the general supposition, which has always seemed to me a strong one, that the local authority would prefer to hire the use of the schools than build new schools of its own. That was the principal safeguard which we offered to the denominational schools; but it was admitted by my right hon. friend, and I have admitted it myself in this House, that it was quite conceivable that, at any rate in theory, cases of hardship might arise. You might meet that hardship in two ways—either by doing what the House has already done, and what the noble Duke proposes to do in another form—make it practically compulsory on the authority to take over these schools; or you might do something in the nature of what is proposed by Viscount St. Aldwyn, in the direction of giving religious facilities in cases where schools were not taken over.

Those are two separate and distinct means of arriving at this object. Noble Lords opposite are now, I see, proposing to do both. It is quite true that either one of these proceedings would have removed what we admitted was the gap in Clause 2. It is also the fact that my right hon. friend in another place offered what is known as the bilateral arrangement. That was to apply to all schools. It was evidently felt by the Opposition, and to a certain extent by everybody, that it was a strong measure to deal with schools of private owners in that way, and that such a dealing could only take place by a very general measure of consent, and when that consent was not forthcoming my right hon. friend withdrew his clause and showed by his vote that he considered that the time for promoting it had passed by. But that offer, it is important for the House to remember, only applied to necessary schools; it was never expected or intended that schools which were only to receive the Clause 3 facilities were to be taken over if they were unnecessary, although it always was and is contemplated that schools which were temporarily unnecessary might be taken over in order to receive the instruction under Clause 4.

THE DUKE OF DEVONSHIRE: Who is to decide whether they are necessary or not?

THE EARL OF CREWE: That would be decided by the Commission. The Commission would decide as to whether they were entitled to receive the benefits under Clause 4. My right hon. friend spoke at Bristol of the great burden which would be thrown on the Board of Education by the frequent appeals as provided by the clause as amended. The noble Duke fairly stated that when this bilateral proposal was made my right hon. friend did offer to undertake, not only those appeals, but others; and in view of the fact that at Bristol my right hon. friend spoke of the probable effects upon himself, it only shows how anxious he was to arrive at an arrangement that in July last he was willing to imperil either his life or his reason in order to satisfy honourable Gentleman on the opposite side of the House to himself.

One remark of the noble Duke gave me great satisfaction, namely, that he believed that voluntary arrangements would be very common. I have always had the same hope, and I have never seen any reason, I am happy to think, to believe otherwise; but, if that is so, it is a very distinct testimony to the fact that the ordinary facilities offered under Clause 3 will by a very large number of persons be considered adequate to carry on the religious character of their schools. We have always hoped that that would be so, and I am exceedingly glad to hear from the noble Duke that he is of the same opinion. The noble Duke's proposal is that both parties should have equal access to the Commission in order to take schools over. When the noble Duke talks of equal access he must remember two things—that there are a large number of privately owned schools which the authority may want to get, but by common agreement cannot, and also that there are a very large number of schools of which the trusts are of a character which can be carried out in some other way than by continuing the school as a public elementary school. Therefore, when the noble Duke talks of equal access he must remember that all that class of schools apparently are to be allowed to come before the Commission and get a scheme, whereas the local education authority will not be able to drag them in turn before the Commission and get a scheme. They will escape owing to the fact that their trusts allow them to escape, and unless the Commission are authorised to depart from the principles of the Court of Chancery, a considerable body of schools—upwards, I think, of 2,000—would have a chance of evading the scheme-making powers of the Commission. That, however, is in one respect a minor point.

We have to consider the very serious matter as to how far it is possible to bring this question before the Commission at all. The Commission has been appointed, it has been said over and over again, both in the other House and in this, as a judicial body. Its functions are those of a Court or of the Charity Commission, and we have never attempted to impose upon it any of the administrative duties of the Board of Education. If the noble Duke's plan should be carried out, the Commission would have to take into consideration a great number of matters on which it would be very difficult for them to decide judicially, and they would have to decide rather as an administrative body. The noble Duke, with really marvellous skill, was able to avoid any allusion to his later Amendments, but I am obliged to allude to one of mine by way of illustration. Later, on the Paper of Amendments, there is a sub-section (2)—

> "The certificate of the Board of Education as to the result of a ballot taken with respect to the wishes of parents, and as to whether a schoolhouse is structurally suitable or not, or whether any condition as to public school accommodation is satisfied, shall be treated as conclusive by the Commission"

—which deals with various considerations which may arise before a Clause 4 school can be formed. Noble Lords will notice that we have not asked the Commission to decide as to the wishes of the parents as shown by the ballot, or whether a school-house is structurally suitable, or whether any necessary condition as to public school accommodation is satisfied. In our desire to keep the Commission a purely judicial body we have allowed the Commission to take the certificate of the Board of Education on these points as final. But this point, and a number of other kindred points, would have to be inquired into by the Commission if the noble Duke's proposition were adopted. That, of course, is a very serious proposal, because it does involve the complete alteration of the character of the Commission.

How far those very distinguished gentlemen who have kindly consented to act as Commissioners would be prepared, under any circumstances, to undertake these different duties — duties which would come entirely novel certainly to two of them, I am not in a position to say. But I am very doubtful whether they would find it possible to undertake them. In any case, whether they could or could not, or would or would not, I think it certainly would be necessary to have a considerably larger Commission than the one contemplated, and some further provision would have to be made to provide it with a staff, because what you would be doing would not be to provide a judicial body, but you really would be constituting a new department of the Board of Education, which would have to be regularly staffed with experts. I defer until we get further on with the Bill any observations on my own proposals applying to Clauses 4, 5 and 9. Of course, so far as the noble Duke's present Amendment is concerned, it exactly meets our wishes. We are very glad to see the clause put back into its original shape. When we come to the noble Duke's consequential Amendments, which really contain the substance of his proposal, we shall then have to deal with them as they arise.

THE EARL OF CAMPERDOWN supposed it would be more convenient to defer any remarks upon Clause 9 until that clause was reached. In the meantime he would only make one remark with regard to what had fallen from the noble Earl. The noble Earl had stated that to call upon the Commissioners to make these schemes for transfers would be to impose upon a body appointed for judicial purposes, and for judicial purposes only, certain administration duties. Unless he read Clause 9 altogether wrongly, the primary duty for which the Commission was appointed was to make schemes, and the making of schemes implied administrative action of various kinds, which their Lordships would see detailed in Clause 9. Therefore he could not follow the noble Earl's argument on that point.

*LORD STANLEY OF ALDERLEY said it was idle to disregard the effect of the noble Duke's Amendments as a whole, and among the things to be borne in mind was the question of the cost to the rates. He did not admit that the local authority were in any way bound to maintain buildings for the denominational instruction of the various sects of the country. Parliament could, of course, if it desired, compel a large number of authorities at very greatly increased cost and impaired efficiency to take over a number of small schools where larger schools would be more convenient. In connection with the question of surplus places he would say nothing about country districts; the number of villages with dual schools was comparatively small. The question of surplus accommodation and extinguishing a certain number of schools was pre-eminently an urban question. In the urban districts about 72 per cent. of the accommodation was utilised by the average attendance. That figure he considered indicated a margin of 10 per cent. of superfluous school places. It ought to be the right of the local authority to dispense with those places. As to structural suitability, he could not trust anybody but the local authority to be the final judge. The Board of Education had been, and still was, remiss in tolerating schools which were unsuitable. There were in the town of Leamington eleven schools possessing so much surplus accommodation that the children might be accommodated in about six of the schools. Should the local authority be compelled to keep eleven schools going in order to meet the denominational preferences of parents? What the authority had to direct its attention to was educational efficiency. It was not their business to endow denominationalism out of the rates and taxes. He was opposed to a proposal which would put this cost on the people and was inimical to educational efficiency, from whatever quarter it came.

*THE MARQUESS OF LANSDOWNE: I only wish to say a word on this Amendment. If we on this Bench accept the proposal that Clause 2 should be restored to the shape in which it came to this House, we do so on the distinct understanding that we may, when we arrive at Clause 9, obtain, at any rate in substance, what is contained in the Amendment placed upon the Paper by the noble Duke. It has been suggested that the difference between the noble Duke's Amendment and the one which stands in the name of the noble Earl the Lord President of the Council, dealing with the same subject, is not a serious difference. That is not our opinion at all. I would point out to your Lordships that if you refer to the noble Duke's Amendment you will find that there are no fewer than five points on which it differs materially from the Amendment of the noble Earl in charge of the Bill. The Lord President's clause applies only to schools under charitable trusts; the noble Duke's clause is not so limited. The noble Duke brings in the owner; the Lord President does not. The noble Duke makes a special reference to the wishes of the parents; the Lord President makes no such reference. The noble Duke's clause contains that magical word "shall;" the Amendment of the Lord President accepts the word "may." Finally, the noble Duke's clause towards the end contains words which are clearly words of direction, words which I cannot find in the Amendment of the noble Earl the Lord President. We intend to obtain in some shape or form the substance of the Amendment of the noble Duke, and should there be any difficulty about it, we wish it to be distinctly understood that we reserve to ourselves the right of again replacing Clause 2 substantially in the position in which it stands with the Amendments which we inserted in Committee.

THE LORD BISHOP OF LONDON said he was certain he could appeal to the sympathy of their Lordships in having to speak from the Episcopal Bench without the assistance of the most rev. Primate, who had helped them so much, and he would like, on behalf of the right rev. Bench, to express their thanks to noble Lords on both sides of the House for the sympathy they had extended to the Archbishop in his illness. He maintained that the figures relating to average attendance given by Lord Stanley of Alderley showed that there had been excessive building of board schools, and he held that the small slum schools of the Church of England in London, upon which great labour and self-sacrifice had been expended, would be swallowed up under the system which the noble Lord had outlined. As to the allegation that the Bill would endow denominationalism, he desired to point out that it would largely endow undenominationalism, and that the endeavour to safeguard denominational interests when denominational schools were swept away was in accord with the principle of common justice. To remove the word "shall" would be to remove something the local authorities would be glad to have. They were most anxious not to have denominational differences mixed up with the administration of the Act.

On Question, Amendment agreed to.

Consequential Amendment agreed to.

LORD GRIMTHORPE, who had given notice of an Amendment in Clause 2, after the word "manner" to insert the words—

"And the owners of the schoolhouse shall, if required by the local authority, hand over to the local authority any existing voluntary school as a school provided by them, and may make any arrangements they think fit by agreement with the local authority with respect to such use of it as is required for carrying on a public elementary school, and may as occasion requires renew any such arrangement or make fresh arrangements for the purpose in a similar manner,"

said that the acceptance of the noble Duke's Amendment rendered it unnecessary for him to move his. If compulsion was not to be applied on one side, he had not the slightest wish to see it applied on the other. He expressed his satisfaction that the clause had been restored to its original shape, believing, as he did, that compulsion as applied to local authorities was of doubtful expediency. He did not wish to move his Amendment.

Consequential Amendment agreed to.

LORD ASHBOURNE moved to omit from sub-section (2) of Clause 2 the words "subject to the approval of the Board of Education." He explained that the words were not consistent with Amendments which were to be moved later. If he found it necessary to insert any qualifying words, he would do so at a subsequent stage.

Amendment moved—

"In page 2, line 34, to leave out the words 'subject to the approval of the Board of Education.'"—(*Lord Ashbourne.*)

THE EARL OF CREWE: I offer no objection to the course which the noble and learned Lord proposes to take.

On Question, Amendment agreed to.

THE LORD BISHOP OF WAKEFIELD rose to move an Amendment standing in the name of the Lord Bishop of Exeter, to sub-section (5) of Clause 2. The sub-section ran—

"Nothing in this section shall prevent the granting or requiring of facilities for special religious instruction in accordance with this Act, or prevent a local education authority, as a condition of an arrangement made under this section with respect to the use of the schoolhouse of an existing voluntary school, from giving an undertaking to give religious instruction which does not conflict with Section 14 of the Elementary Education Act, 1870, in the school."

The Amendment was to insert after the words "from giving an undertaking to give religious instruction" the words "of any specified character and amount." The right rev. Prelate explained that the object of this Amendment was to secure that the religious instruction given in transferred schools on non-facilities days should be of a real and definite character. The debate on this clause in Committee shewed that His Majesty's Government believed that the clause as it stood already gave this power to the owners, as the bargaining party, in making their agreements with the local education authority. So strongly did they hold this view that the Lord President and Lord Fitzmaurice both went as far as to say that a specified syllabus might be insisted upon by the owners in making the transfer. Whether that was so or not, it was quite clear that it had been, and was, the intention of His Majesty's Government that the parties on handing over their schools should be able to secure that some real and effective Cowper-Temple teaching should be given in the transferred schools. The effect of this Amendment was to make that intention perfectly clear. It was a simple Amendment, but it was one to which they attached a great deal of importance. In the schools in some districts with which he was familiar there was nothing more than the bare reading of a chapter from the Bible, and that was entirely at the discretion of the teacher himself; and in many schools with which he was acquainted there was for months at a time no religious instruction at all. They wished, if possible, in handing over their schools to the local education authority to be able to ensure that religious teaching which was real in its character should be given. They did not go so far as to ask that they should have a definite syllabus. He agreed with Lord Stanley of Alderley that that would be asking too much. What they did ask was that there should be religious education of a specified character and amount, and that it should not be contrary to the teaching given to the children on facilities days. The character of the instruction was, of course, limited by Section 14 of the Act of 1870. This Amendment would go a part of the way towards inducing some of them to acquiesce, at all events for the present, in the restriction of the facilities to two days in the week, because they would feel that they had something substantial on the other days.

Amendment moved—

"In page 3, line 18, after the word 'instruction' to insert the words 'of any specified character and amount.'"—(*The Lord Bishop of Wakefield.*)

THE EARL OF MEATH expressed the hope that the Lord President would carefully consider the right rev. Prelate's Amendment. There was, he said, real need for some such words. Their Lordships might not be aware that there were at this moment 191 education authorities who issued no syllabus whatever, or, if they issued a syllabus, neither examined nor inspected the teaching. He was quite certain that those in the country who had returned the large majority to the other House were men who had a distinct desire that their children should be taught simple Bible teaching.

THE EARL OF CREWE: I am exceedingly unwilling to interrupt the noble Earl, but the point before the House is so small a one that in view of the real necessity of saving time as much as possible I hope the noble Earl will not think me discourteous. The right rev. Prelate made a speech of some length on the general subject of facilities, but I desire to call his attention, and that of the House, to the actual point involved in this Amendment. The right rev. Prelate seems to me to have mixed up two entirely distinct things. The words in the clause as it stands gives the most absolute freedom o bargaining, and nothing except bargaining is contemplated. It is perfectly true that the right rev. Prelate's words would strengthen the clause considerably if the giving of these facilities was part of the scheme, but it is part of a bargain and you cannot have a freer bargain than is supplied by the words in the clause. It is perfectly obvious that the owners can insist on anything within the limits of the Cowper-Temple clause as part of their bargain, and the right rev. Prelate's words do not, from that point of view, strengthen the clause in the least.

*VISCOUNT ST. ALDWYN agreed with the noble Earl the Lord President, and expressed the opinion that the right rev. Prelate's Amendment would seem to limit the powers of the owners.

Amendment, by leave, withdrawn.

THE EARL OF CREWE: My next Amendment is consequential on my Amendments to Clause 9, and is due to the fact that we separate in my Amendments a scheme under this part of the Bill and an order made by the Commission, which is a new provision in Clause 9. I do not know whether your Lordships would consent to adopt this Amendment provisionally until we are able to discuss the whole scheme.

Amendment moved—

"In page 3, line 26, to leave out the words 'scheme under this part of' and to insert the words 'order of the Commission under.'"—(*The Earl of Crewe*)

On Question, Amendment agreed to.

THE MARQUESS OF SALISBURY moved to leave out from Clause 3 the words "or if in any parish in a rural area there is only one public elementary school provided for the children of the parish, and the parents of a reasonable number of children attending the school have required such facilities, the local authority," which, he explained, was the Amendment moved by the Bishop of Hereford in Committee and accepted to meet the case of single school areas in rural districts.

The Earl of Crewe.

THE EARL OF CREWE: There are Amendments standing in the name of Lord Halifax and Lord Lytton raising substantially the same point, and I think it would be for the general convenience of your Lordships that the discussion on what are called outside facilities should proceed on the Amendment of the noble Marquess.

VISCOUNT HALIFAX expressed his agreement with the course suggested, but intimated that he intended to press his Amendment to a division.

THE MARQUESS OF SALISBURY, in explaining the grounds on which he proposed to ask the House to strike out of the clause the Bishop of Hereford's Amendment, said the real question for the House was with how little of general facilities would the absolute demands of justice be satisfied? He did not ask the House to go a single step beyond what, in his judgment, was absolutely necessary in the interests of justice. His objection to Lord Lytton's Amendment was that the noble Earl proposed that those facilities should apply to all schools without exception. It was only permissive in its character, and therefore was a very different Amendment from Lord Balfour's. It applied to all schools of every description, instead of to the limited class of schools to which the Amendment for which he was responsible asked their Lordships to consent. The Bishop of Hereford's Amendment involved the principle that wherever, in a rural district, a child had access to only one school, and the religious teaching given there was not in accordance with the wishes of the child's parents, facilities should be afforded to that child. The limitation to rural districts was indefensible, and in practical working the Amendment would produce absurdities. Let them take the case of a rural district which adjoined an urban district. In the rural district there was a single council school giving nothing but Cowper-Temple teaching, and a certain number of children living on the borders of the rural district but within it were anxious to have facilities. There might be in the urban district a few yards across the boundary a Church of England school quite satisfactory from the point of view of religion, and yet, under the Bishop of Hereford's Amendment, a child might insist upon facilities in the rural school, although there was no great grievance and no great difficulty in its availing itself of the services of the Church of England school in the urban district hard by. That was a condition of things which was on that side quite as indefensible as on the other side was the denial to the urban child of the right which was given to the rural child. The Bishop of London had proposed an Amendment which attempted to define a single school district; but he himself had drawn his Amendment on a different principle. The new clause on this point which he (Lord Salisbury) proposed subsequently to move, was as follows—

> "(1) If the parents of a reasonable number of children attending any public elementary school require facilities for their children of the same character as those to be afforded under Section 3 of this Act, and, in the opinion of the local education authority, those children cannot conveniently attend some other public elementary school in which facilities for religious instruction of the special character desired by the parents are afforded, the local education authority, without prejudice to any of their powers or duties under Section 3 of this Act, shall, so far as it is in their opinion reasonably practicable to do so, afford those facilities in the school within school hours accordingly.
>
> "(2) No part of the expense of giving religious instruction of a special character under this section shall be paid by the local education authority."

He left the duty of defining what a single school area was to the local authority, which was familiar with all the circumstances in each case. The local authority would decide when there was only one school available for any given child, and if there were a reasonable number of children desiring special religious instruction, then facilities should be given. There were some forms of Cowper-Templeism of which few would approve; and to compel a child to attend such instruction was an exercise of gross religious tyranny. He confidently recommended his Amendment to their Lordships' favourable consideration.

Amendment moved—

> "In page 3, line 28, to leave out from the word 'schoolhouse' to the word 'authority' in line 31, and to insert the word 'that.'—(*The Marquess of Salisbury.*)

THE LORD BISHOP OF HEREFORD said that as the noble Marquess had somewhat pointedly referred to his poor little Amendment he hoped he might be permitted to say one word. His impression was that the noble Marquess supported that Amendment when it was moved in Committee.

THE MARQUESS OF SALISBURY: Yes, I did.

THE LORD BISHOP OF HEREFORD said that since he moved his Amendment others tying the hands of the local authorities had been piled up to such an extent that the situation was changed from his point of view. Though he had a natural parental affection for his Amendment, he was quite prepared, in the circumstances, to leave its existence or non-existence in the hands of noble Lords opposite.

THE LORD BISHOP OF LONDON said that he was quite prepared to accept the Amendment of the noble Marquess in preference to that which he had put down, and which ran as follows—

> "In page 3, line 29, after the word 'parish' to insert the words 'or in any urban district there is any public elementary school provided for the children of the district which is distant not less than half-a-mile from any public elementary school in which facilities are afforded for the giving of such religious instruction.'"

They were both aiming at the same point, and he thought the noble Marquess's words were better than his own. It was necessary to have regard, not only to the rural areas, but to those great forlorn districts in the great cities where there was no school but the board schools. The population of his diocese increased by 40,000 every year. It taxed their utmost resources to build churches, parsonages, and Sunday schools, and they could not manage to erect Church schools as well. He would plead for such districts as Tottenham and Edmonton where Church parents had no schools whatever to send their children to except council schools. Since the Committee stage he had examined into the condition of things at Edmonton, the population of which was 60,700, and he found that there were 2,800 children of Church of England parents who had no facilities for learning the religion of their parents. The Amendment would safeguard the denominational principle, and he was sure that it would in practice be easy to work.

The noble Earl the Lord President had said that this was an undenominational Bill. That was precisely the reason why they disliked it, and why he and others regarded it as a bad Bill. What they were trying to do was to secure that when the Church schools were swept away some fragments should be saved. As to the practicability of the proposal, he mentioned that he had been himself a manager of three large board schools in Bethnal Green, and the one especially entrusted to his care was a very large school with 1,500 children. There was one Churchman — the headmaster—and eight Nonconformist teachers. Though this would be perhaps one of the worst schools that could be chosen for the experiment, he would have gladly undertaken to carry it out in that school. The headmaster would have been willing to take a class of Church children, and he (the right rev. Prelate) could have managed these facilities in that school without friction. He appealed to their Lordships in this matter on the ground of common fairness.

LORD GRIMTHORPE pointed out that the situation of the Edmonton children was exactly that of the Nonconformist children under the Act of 1902.

*THE EARL OF LYTTON, who had the following new clause on the Paper—

"(1) The local authority may, at the request of the parents of children attending any public elementary school, and with the consent of the local school managers, permit religious instruction to be given to such children according to the tenets and faith of their parents in the school building, at hours other than those assigned for secular instruction, without making any charge for the use of such buildings; provided that the instruction be under the direction of a qualified person duly accredited on behalf of the religious community to which the parents concerned belong, and provided also that such person, or the body on whose behalf he or she is accredited, shall defray any cost of such religious instruction, and, if required, extra renumeration of the caretaker of the school buildings, and shall make good any damage that may occur."

"(2) This clause shall not apply to any school administered under the provisions of Clause 4—"

said his Amendment and that of the noble Marquess differed in two respects. One was a very small matter, but the other was of considerable importance. In the first place, his Amendment was intended to apply to all schools throughout the country, whereas that of the noble Marquess was intended to apply merely to schools in single school areas. That was a small difference, because the object which they both had in view was the same. His object and that of the noble Marquess was that where a child was so situated that he could not receive in the existing school the religious instruction which his parents desired for him he should have the special facilities. The other difference was that whereas his Amendment was permissory, that of the noble Marquess was mandatory. Personally he preferred the permissory form, because it was more in accordance with the principle of the Bill. It even established a greater measure of public control than the Government Bill since it allowed more discretion to the local authority. His chief reason for preferring his own Amendment was that it got rid of all questions as to the practicability of the machinery. How far the system was practicable was at present an open question. Many speeches had been made both inside and outside the House to show that it was unworkable. On the other hand wherever it had been tried it had met with a great measure of success. It was in force at the present moment in industrial schools, in the Duke of York's military school, and in the Colonies, and in all these cases it worked perfectly successfully. Members of the Church of England and Roman Catholics had shown themselves willing to accept this Amendment in 1902, and he had no reason to believe that Nonconformists would be unwilling to accept it so far as religious grounds were concerned. But, if they were unwilling to give the facilities, he could only say that the objection came very ill from people who in the past had championed the cause of religious liberty; and if Nonconformists refused at this moment to concede to others the liberty they claimed for themselves, the whole battle of religious liberty would have to be fought out again, and it would be found that the combatants had changed sides. The situation that the Opposition were seeking to remedy was precisely that which the Nonconformists had protested against for so many years, and from which they had suffered particularly in country districts. The noble Lord who spoke last had revived a taunt which had been brought against them once or twice before, viz., that their zeal in the cause of minorities and in the cause of parents was of new growth. Where, the noble Lord opposite asked, was their zeal for this cause in 1902? When the Bill of 1902 was under discussion he (Lord Lytton) moved precisely the same Amendment that he now had on the Order Paper, and the Amendment then received the assent of a large number of noble Lords and was only defeated by a very small majority, although it was opposed by both Front Benches. If that Amendment had received the support of noble Lords opposite it would certainly have been carried, and the interests of minorities would have been safeguarded. If the Amendment had then been agreed to the very thing they were now trying to do would have been done in the Act of 1902. Therefore he maintained that this taunt came very ill from the persons on whose shoulders rested the responsibility for the clause not being in the Act of 1902. Hitherto the denominational schools of the country had occupied a privileged position more or less outside the national system. That privileged position was now to come to an end, and the schools were all to be made national schools. However much the supporters of those schools might object to that arrangement they would not, he thought, question the fact that it would be impossible to re-establish them in that privileged position. Therefore, in looking to the future, if they desired that religious education should continue as a vital force in the lives of the children, attending the schools, they must look rather to facilities for such education in all schools alike than to the creation of a special and privileged type of school. It was in the hope that some proposal of this kind would make the Bill more acceptable to all those who cared for the maintenance of religion that he should vote for its insertion.

THE MARQUESS OF SALISBURY said it was incorrect to assume that he had suggested that this duty should be imposed on the local education authority even if it was impracticable, for his Amendment contained the words "so far as it is in their opinion reasonably practicable."

THE EARL OF CREWE: I think the course that has been taken, of considering these various Amendments together, has certainly been a convenient one. We have not, however, heard anything from the noble Viscount Lord Halifax. He, I understand, desires to vote separately on his Amendment.

VISCOUNT HALIFAX, who had on the Paper an Amendment to delete from Sub-section 1, Clause 3, the words—

> "any parish in any rural area there is only one public elementary school provided for the children of the parish, and the parents of a reasonable number of children attending the school have required such facilities,'

and to insert in their place the words—

> "the case of any public elementary school in which extended facilities are not offered under this Act, the parents of not less than twenty children have required facilities under this section,"

said there was a wide and deep feeling throughout the country as to the withdrawal of the Amendment originally moved by Lord Balfour. Meetings had been held in different parts of the country to discuss it, and the two great principles which had met with universal assent was that there should be absolute justice and equality as between the different denominations, and that parents should be allowed to say what kind of religious teaching should be given to their children. Requests had, therefore, been made that Lord Balfour's Amendment should be brought forward again. He asked the supporters of the Government on what possible principle of justice and fair dealing they would refuse to agree to the Amendment of the noble Marquess? If it was just and fair that there should be facilities for undenominational teaching, on what possible principle could they deny the right of facilities for parents who desired them in the undenominational schools, and who, it must be remembered, asked to be allowed to pay for them themselves? They were told that it was one of the greatest glories of the Bill that it placed undenominational teaching within the reach of every child throughout the country. Why was it not equally important to place denominational teaching within the reach of every child whose parents desired it? How could the support of one form of religion and the rejection of another form be justified? Had not the parent a right to decide what religion should be taught to his children? He maintained that it was a right which should be acknowledged in the Bill, and that was what the Opposition contended for here. Unless an Amendment of this kind were incorporated in the Bill there could be no hope of a settlement of the education question. He made no concealment of his dislike to the Bill. It was a measure to substitute undenominational teaching for denominational teaching, and without the incorporation of some Amendment like this the strife would simply be transferred from Parliament to the country. Their Lordships might depend upon it that if that strife was engaged in in the country, liberty of conscience and the rights of parents would triumph in the long run. It had been said again that evening by the noble Earl the Lord President of the Council that this was an undenominational Bill. The Prime Minister and Mr. Birrell had said the same thing. He would appeal from the words of the Prime Minister and Mr. Birrell since the election to the words of both before the election. Sir Henry Campbell-Bannerman said on 26th October, 1904—

> "We want the child to be brought up in the faith of his father, at least until he comes to such an age as to be able to judge of a faith for himself. I am sure that the Liberal Party throughout the country has but one object, which is to secure perfect freedom of conscience and equal treatment and complete public control for the system."

Mr. Birrell on 12th January, 1905, said—

> "He was very anxious that facilities should be given whereby all religious denominations should have an opportunity of instructing the children in what they believed to be the true religion. His anxiety was very great on the subject. It was a very difficult thing to be able to do, but at any rate his efforts were all in the direction of throwing open all schools of this country, not only for simple elementary Bible instruction, but also that facilities should be granted to enable parents to have their children instructed in their own religion and in their own particular doctrines."

It was on declarations such as these that the General Election, so far as it turned on the education question, was fought. These words contained all that the noble Marquess asked for, and all that his (Viscount Halifax's) Amendment asked for. The Amendment practically endorsed the principles laid down by the Prime Minister and the President of the Board of Education. If the Government would agree to do justice to denominational schools and the rights of parents he would be glad to do all that was possible for a settlement of this question. But, if not, they would be obliged to say that this was not a Bill for the furtherance of education, but a Bill for putting undenominational in the place of denominational religion, and this at the instigation not of religious but of political Nonconformists who desired through the schools to strike a blow at the Church of England.

THE EARL OF CREWE: I am grateful to the noble Viscount for having given us his views, because now I think we have the complete views of those who have brought forward these Amendments, or perhaps I ought to say this multiform Amendment. The first Amendment was made by the right rev. Prelate the Bishop of Hereford, who inserted words providing that these facilities should be given in council schools in single school country parishes. Next in order I think comes the Amendment of the noble Earl (Lord Lytton), who leaves a complete option to the local authority in every case to say whether they will give these facilities or not. Then come the Amendments of the noble Marquess Lord Salisbury and the right rev. Prelate, and I think it is evident that we may take the noble Marquess's as being the authorised version of this Amendment on which the sense of the House is to be taken. The noble Marquess corrected Lord Lytton when he said that there was a certain degree of compulsion on the local authority in his (Lord Salisbury's) Amendment. I confess I had read the clause somewhat in the same sense. The noble Marquess says that they shall—

> "so far as it is in their opinion reasonably practicable to do so, afford those facilities."

Perhaps the noble Marquess will tell us before we divide upon this clause, or before we come to a conclusion upon it, whether those words altogether bar an appeal either to the Board of Education or to Courts under this clause. I had certainly taken it that under Clause 16 of the Act of 1902 there would be an appeal to the Board of Education in this matter; but, of course, if the noble Marquess means that the words "in their opinion" should entirely govern the clause

I suppose it might be that they would be safe from any appeal. In that case the noble Marquess's Amendment would be the same as Lord Lytton's. The noble Viscount's Amendment is stronger still. It provides that in all schools where the parents of not less than twenty children ask for facilities they shall get them, but I understand the noble Viscount does not mean to press that Amendment, but accepts the Amendment of the noble Marquess. We opposed the Amendment of the right rev. Prelate the Bishop of Hereford, which was inserted in Committee, because we did not think it possible to arrange for any facilities being given in board schools in the form which the Bill has taken; but, of course, there was this to be said on behalf of the right rev. Prelate's scheme, that a very considerable number of these single council rural schools were transferred Church schools which might not have been transferred if the owners had known what the provisions of this Bill might be, and, therefore there was a certain case for them. Now I turn to the Amendment of the noble Marquess. When the noble Marquess says, "facilities of the same character as those to be afforded," I suppose he means simply facilities for two days.

THE MARQUESS OF SALISBURY: Hear, hear!

THE EARL OF CREWE: Therefore, of course, it is quite possible that applications might in some instances be numerous, in which case all the objections which were so forcibly pressed by the noble Duke, by the noble Viscount (Lord St. Aldwyn), and by noble Lords on this side of the House when we were discussing Lord Balfour of Burleigh's Amendment, would again come into play.

THE MARQUESS OF SALISBURY: That would not be "reasonably practicable."

THE EARL OF CREWE: And in that case the facilities, the noble Marquess means, would not be obtained. I think it is quite clear that a very large number of local authorities would decline to take any steps whatever under the Amendment of the noble Marquess, assuming it to be optional, and for this reason. After all, what the noble Marquess is asking for is a new invasion of districts where there have been no Church schools at all. There are a number of large towns which have gone on since 1870 with nothing but board schools, now council schools, and in those schools hundreds of thousands of Church children have been educated without, as far as we know, active complaint. They have received in many cases, one hopes, very good teaching under the Cowper-Temple Clause, and they have received outside the school and on Sundays the teaching of the Church of England. The noble Lord must see that to ask those local authorities to admit a system of facilities into their schools is to ask a very great deal indeed, and you must remember what it comes on the top of. It is conceivable that they might have been asked to accept it as part of a general settlement under which all schools in England were going to be really of the same type. But that is not so. You are leaving your denominational schools to a very considerable extent denominational. We left them in many cases very largely denominational as the Bill came up to your Lordships' House, and by your Lordships' Amendments they are very much more denominational. The enormous multiplication of schools under Clause 4 cannot be forgotten in this relation, and, on the top of all that, to ask these local authorities, who have run their schools on undenominational lines for thirty years, to admit an unknown number of denominational teachers into the schools, is to put upon them a burden that I am quite sure they would refuse to carry. Therefore, the result of the noble Marquess' Amendment would be that in some places where Church influence was strong these facilities would freely be given, but in such cases as those to which the Bishop of London alluded, namely, large districts where there are no Church schools, and also in a great many towns of varying sizes where there have been nothing but council schools, things would be left as they are, and that in the places where, according to the theory of the noble Marquess and the right rev. Prelate, the facilities are most wanted. In towns where Church influence was strong there might be a board school or two and a friendly authority to whom these provisions would apply; but in those desolate districts of which the right rev. Prelate spoke, the permission would undoubtedly be refused.

THE LORD BISHOP OF LONDON: It does not follow that they would be refused there. The districts are desolate, but the Church is strong there.

THE EARL OF CREWE: I have no doubt the Church is strong there, but it would not be for the Church, unfortunately, to say whether the facilities were to be given or not. It would be for the local education authority, and I was assuming for the moment that the local authority was not the sort of one to see its board schools visited by these facilities. I must remind the noble Marquess and the House of another point. Lord Lytton said that, after all, all you want to do is to give minorities a chance, and he hinted that if in 1902 his Amendment had been accepted by the House this difficulty would not have arisen. I am afraid the noble Earl is completely in error there, and for this reason, that by this clause you are giving to one kind of minority, principally the Church of England, something of which they could make most effective use, but you are not giving, certainly to the poorer sects of Nonconformists in the country, a boon of which they would be able to make any use at all. That is the real difficulty, that your facilities are not *in pari materia* in regard to the different denominations. It was admitted by the Bishop of Manchester, in a speech that he made, I think, at a diocesan conference, that this particular provision must inevitably, owing to the nature of the case, not through any vice on anybody's part, work with a vast preponderance of advantage in favour of the Church of England. I do not know what view the noble Duke and the noble Viscount (Lord St. Aldwyn) opposite may take of this proposal. They did not agree with the larger proposal of Lord Balfour of Burleigh, and whether they will agree with this modified proposal I do not know. As regards the noble Viscount, I always thought, and I still think, that there was a strong case for his proposition, that there should be some means of keeping the facilities alive in districts where a great number of Church schools were extinguished. There always seemed to me to be a rather strong case for them, but as we pointed out at the time, it is an exceedingly difficult matter to provide for in the words of the clause, and we were unable to accept the noble Viscount's Amendment. But that, of course, is a very different matter indeed from this general entry into council schools, not as part of a great national settlement, but coming as an accumulative claim really and mainly on behalf of the Church of England on the top of the assertion of the continuance of the denominational character of a very large number of her schools.

*THE MARQUESS OF LANSDOWNE: The noble Earl is correct in his surmise when he suggests that those who sit by me will support the noble Marquess in his Amendment. The noble Earl referred in the concluding passage of his speech to another Amendment which was moved by my noble friend Viscount St. Aldwyn, a very ingenious proposal under which facilities were to be given in cases where a denominational school has been got rid of, and where the children who had attended that school, or might have attended it, would have been specially provided for; but my recollection is that the noble Earl did not give very much encouragement to that proposal, and that, indeed, he discovered a good many administrative objections to it.

THE EARL OF CREWE: Yes, it was difficult.

*THE MARQUESS OF LANSDOWNE: That proposal, I venture to suggest, is not now before the House. The noble Viscount, Lord Halifax, expressed his regret at the abandonment of the Amendment moved by my noble friend, Lord Balfour of Burleigh. He does not stand alone in that. I have received from many sources evidence of the regret with which the withdrawal of that Amendment was regarded. The noble Viscount, Lord Halifax, asked on what conceivable ground could the proposal of Lord Balfour of Burleigh be objected to. It was objected to upon one ground which certainly was entitled to some weight—namely, that where these council schools giving what we call Cowper-Temple teaching were in existence, and where the teaching given in them had been accepted and gladly acquiesced in by the people of the locality in which they were situated, it was very unwise suddenly to disturb the *status quo* and to bring in teaching other than Cowper-Temple teaching. There is, I feel, some force in that objection. The proposal of the noble Marquess beside me is not, at any rate, open to that objection, because he deals with the case where there is a real grievance and where there are dissatisfied people who cannot be provided for without some such encroachment, if it be an encroachment, upon the arrangements in force in those council schools. I ask your Lordships' attention to the conditions which the noble Marquess attaches to his proposal. They are these. The parents of a reasonable number of children attending the school must make it clear that they desire these facilities to be given. In the next place, it is to be established to the satisfaction of the local education authority that these children cannot conveniently attend another school. In the next place, the local authority is authorised to permit these facilities only so far as it is in their opinion reasonably practicable to do so. Your Lordships will therefore see that a very wide discretion is given to the local authority, a discretion which would leave it quite open to them to refuse facilities if they believed that the granting of them involved a serious disturbance of the conditions prevailing in any particular school. The noble Earl asked whether it was in our contemplation that in a case of this kind there should be an appeal against the decision of the local education authority. The answer to that question is in the negative. The noble Earl also dwelt for a short time upon the administrative difficulties which he anticipated from the adoption of this proposal. It has always seemed to me that noble Lords opposite are much too easily deterred by the anticipation of these administrative difficulties. The right rev. Prelate who presides over the diocese of London, and who has had practical experience of these matters, has told us of cases in which within his own knowledge this experiment has been tried and tried successfully without any inconvenient results.

THE LORD BISHOP OF LONDON: I did not say it had been tried, but that I could have carried it out without difficulty.

*THE MARQUESS OF LANSDOWNE: I beg the right rev. Prelate's pardon. There is, however, a weightier authority, if possible, in favour of the view that these administrative difficulties need not be regarded as insuperable. Here is an extract from a speech delivered by the Minister for Education at Bristol. He said—

> "His efforts were all in the direction of throwing open all schools of this country, not only for simple elementary Bible instruction, but also that facilities should be given to enable parents to have their children instructed by ministers of their own religion in their own particular doctrines."

That, to my mind, shows conclusively that one who can speak with authority upon these subjects did not regard it, when he made that speech, as beyond the powers of the education authorities of the country to accommodate themselves to a condition of things under which, in certain circumstances, facilities might be given for denominational teaching in any school no matter of what complexion. I therefore feel that the case made by my noble friend beside me, for the very moderate proposal which he has put upon the Paper is a strong case, and I shall unhesitatingly vote with him if he goes to a Division.

THE LORD BISHOP OF BIRMINGHAM said there was a very strong feeling, not amongst Churchmen only, but amongst members of local education authorities of all kinds, that precautions should be taken to prevent questions of religious education coming up at local elections. This question of facilities was one upon which a great number of persons felt very warmly, and he was afraid if so much option, as the Amendment of the noble Marquess proposed, was left to the local authority, without appeal, the question would in certain districts enter acutely into municipal elections.

THE MARQUESS OF SALISBURY said he felt compelled to adhere to the wording of his Amendment. He thought they might rely with some confidence on the local authority exercising properly the *quasi*-judicial function which the option entrusted to them.

THE LORD BISHOP OF HEREFORD rose to address the House amidst loud cries of "Divide." He said he thought he might claim the attention of their Lordships for a few minutes.

The Earl of HALSBURY: I am afraid the right rev. Prelate is out of order. He has already spoken on this Amendment.

The LORD BISHOP of HEREFORD: When I spoke earlier I ventured to say then that I reserved anything I had to say on the noble Marquess's Amendment.

The Earl of HALSBURY: You cannot do that.

The LORD BISHOP of HEREFORD then resumed his seat.

The Earl of CREWE: I might explain that we propose on this side of the House to take only one division on this subject.

On Question, "That the words proposed to be left out stand part of the Clause," resolved in the negative.

On Question, "That the word 'that' be there inserted," their Lordships divided:—Contents, 143; Not-Contents, 43.

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*VISCOUNT ST. ALDWYN moved an Amendment providing that the facilities for special religious instruction under Clause 3 should be afforded "on two mornings a week in school hours at such times as may be consistent with the proper conduct of the school." He said he had given notice of this Amendment because he thought it right to ask their Lordships to reconsider the Amendment introduced into Clause 3 on the Motion of the Bishop of Oxford. At that time the position of Clause 3 was distinctly different from that which it now occupied. Formerly school teachers were not to be permitted to give denominational religious instruction in schools under the clause, and religious instruction was, moreover, to be given outside school hours. This was no longer the case. Under the eighth clause teachers were now to be permitted to give denominational religious teaching in schools under Clause 3, and in those schools, as elsewhere, the religious teaching was to be in school hours. The net result, so far as facilities for denominational religious instruction was concerned, was practically to place schools under Clause 3 in precisely the same position as schools under Clause 4. So far as he could see, there was only one difference, and that was that in the case of schools under Clause 4 the parents' committee were to be consulted as to the appointment of the teacher. But given a school under Clause 3 in which—and there would be many such cases, he hoped, for a long time to come—a school teacher existed willing and able to give denominational religious instruction, precisely the same denominational atmosphere would exist as if the school had been under Clause 4, and yet the purely denominational atmosphere would have been arrived at, not, as in the case of Clause 4 schools, owing to the wishes of the parents of a large proportion of the children attending the school, but solely because the owners of the school on its transfer to the local education authority had required that facilities under Clause 3 should be given. No doubt some of their Lordships were desirous that that state of things should exist, but it must be admitted that it was a material interference with the framework of the Bill. The intention clearly was that schools under Clause 3 should be less denominational in character than schools under Clause 4. In the one case there was, and in the other there was not, to be a denominational atmosphere, and in Clause 4 provisions appeared for the purpose of enabling schools to obtain that atmosphere. The effect of the Bishop of Oxford's Amendment, taken together with the changes to which he had referred, was inconsistent with some of the most important principles of the Bill, and if it was so they ought, if they intended to adhere to the Amendment to have rejected the Bill on Second Reading. He had always understood that one of the main points which His Majesty's Government had had in mind with regard to schools under Clause 3 was that the majority, at any rate, of the present denominational schools in country villages would fall under that clause, and that their object in limiting the amount of denominational instruction that could be given in Clause 3 schools as compared with schools under Clause 4 was that these schools should be of a less denominational character, so that the grievance of the Nonconformist parents who had to send their children to such schools should be in some degree met. That grievance had been admitted on both sides of the House, and many felt that it was not sufficiently met under the provisions of the existing law by the conscience clause. It might be said that if it was desirable to restrict the denominational character of the religious instruction in Clause 3 schools to meet the grievance of Nonconformist parents, they ought not, in order to do that, to inflict an injustice on the denominationalist majority, which in these cases would be mainly a Church of England majority. There was no doubt great force in that view, but was it really necessary, to avoid inflicting a grievance on a Church of England majority, that denominational religious teaching should be given in these schools on every day on which the school was open? He asked their Lordships to consider what was possible in these schools under the clause as introtroduced. Denominational teaching could be given on only two days in the week, but on the other three it was perfectly possible for prayers to be offered, for the Bible to be read, and for undenominational religious teaching to be given, which, if given by the same teacher, need not in any way conflict with the denominational teaching given on the other two days in the week. Therefore practically all that could not be given on the three days was teaching of the Church Catechism. Was it really necessary that that particular teaching should be given on every day of the week? What had been their Lordships' own experience at school? For his own part, nothing of the sort ever happened at the schools in which he was educated. He fully admitted there was a difference in the position of many of the children attending elementary schools in the matter of home influences, and it might fairly be argued that more religious teaching should be afforded in the elementary schools on that account than needed to be given in the case of those who had healthy religious influences at home. But he was bound to say that the clause as it now stood went too far in that direction, and he thought it would be perfectly reasonable, so far as the number of days on which denominational religious instruction might be given, if it were restored to the position in which it originally stood, and his Amendment was designed with that object. The only difference between his proposal and the clause as it originally stood was that he had included a proviso that the teaching should be within schools hours—which was practically already in the Bill—and he had inserted words giving greater elasticity to the power of owners and the education authority to decide when and how the denominational teaching should be given. The clause as originally introduced limited that power in a way which in practical administration would have been found extremely inconvenient, and his words pointed to the possibility of an arrangement by which the denominational teaching on the two days should be given in such a way, subject to the general law, as the owners and the education authority found convenient so as not to interfere with the general conduct of the schools.

Amendment moved—

"In page 3, line 34, after the word 'instruction,' to insert the words 'on two mornings a week in school hours at such times as may be consistent with the proper conduct of the school and.' "—(*Viscount St. Aldwyn.*)

THE LORD BISHOP OF OXFORD said he found himself, reluctantly, in opposition to Viscount St. Aldwyn. The noble Viscount had described the effect of the clause as it now stood as placing Clause 3 schools in precisely the same position as schools under Clause 4.

*VISCOUNT ST. ALDWYN: With one exception.

THE LORD BISHOP OF OXFORD said he noticed that after using the word "precisely" the noble Viscount qualified it by saying there was one exception. But the differences between the two classes of schools were really three. The noble Viscount had referred to one—that a voice was given to the parents' committee with regard to the appointment of teachers. The second was that with regard to Clause 4 schools the parents' committee were given the control of the religious instruction, while there was no such committee and therefore no such control in the case of schools under Clause 3. That second function of the parents' committee had an independent importance beyond that which they exercised in regard to the appointment of teachers. The third point of difference—which was still more important—between schools under Clause 3 and those under Clause 4 was that, in the former "the religious instruction," whatever precisely was meant by that, would be undenominational. Facilities would be freely afforded for other instruction: but, so to say, the characteristic religious instruction of those schools would be undenominational. It was quite true that in many cases that might be modified or altered by the denominational instruction given under the facilities, but the fact remained that in Clause 3 schools, and not in schools under Clause 4, the normal religious instruction might be undenominational. These were three important differences of detail between the two classes of schools. But he asked their Lordships to think of the general result. The Government had declared, and it had been generally recognised, that the intention was that schools under Clause 4 should be "frankly denominational." Clause 3 schools, even as the clause now stood, might be, and so far as any charge on the rates or taxes was concerned, must be, solidly undenominational. That could not be disputed, and it constituted a very real line of distinction. Those who thought that the effect of the clause as amended was to make Clause 3 schools identical in character with schools under Clause 4 either over-rated the effect of Clause 3 or greatly under-rated the effect of Clause 4, and thought of it as falling far below its avowed and recognised purpose. They had always spoken of the religious "atmosphere" created in schools coming under Clause 4. He disliked the phrase, and would rather speak of the religious character; but howsoever it was spoken of it was something created under Clause 4 and not under Clause 3. The noble Viscount had asked whether all this was really necessary in order to prevent the infliction of a hardship upon those who would be in many cases the majority in the transferred schools. There were many districts in which the majority of the children would be the children of Church of England parents. They certainly *prima facie* seemed liable to hardship under Clause 3 as it originally stood, inasmuch as there would be imposed upon them on three days of the week undenominational instruction. Exaggerated statements had been made in many quarters as to the probable effect of Clause 3 as amended. People had apparently not noticed that where the local authority was willing to provide it, undenominational teaching might be given on every day in the week to the children of those parents who desired it for them, and the whole purpose and effect of his Amendment had been to secure equal opportunities and privileges for those children whose parents desired denominational teaching. He quite recognised that in a great many schools things would probably go on as they had done hitherto, and the religious and thoughtful teacher would give good Bible teaching on three days and definite denominational teaching on the other two. But they had also to consider the schools in which the position would be widely different. In a considerable number of schools the children of Church parents would suffer a real hardship under the clause as the noble Viscount wished to amend it. He would take two instances in which hardship would be sustained. As Lord Clifford of Chudleigh had said on a former occasion, under the clause as it stood in the Government Bill, Roman Catholic children in transferred schools would simply be withdrawn from religious instruction on three days in the week; their opportunity of receiving religious instruction in accordance with their religious convictions would be cut down absolutely to two days in the week. That was a real hardship against which the clause as now amended would protect them. The second case of hardship would be in a transferred school which had been provided by great effort for the maintenance of Chuch of England teaching, and to which might be appointed, say, a Baptist headmaster. The school might be in a country district where it was practically inevitable that the undenominational teaching on the three days in the week must be in his hands: and it was said that the children of Church of England parents must receive such instruction, given by a convinced Baptist, or none at all, on three days, and the Catechism or other definite denominational teaching on two. Who could regard those two volumes of religious instruction as constituting a single and coherent whole? Who would say that on a basis of Baptist Bible instruction given for three days a superstructure of the Catechism could be added on the other two days, and that there they would have the full body of the Christian faith? It was necessary that provision should be made for such cases as those, where real hardship would otherwise be inflicted upon the children of Church of England parents. As the action of the House in adopting his Amendment had been criticised, he desired briefly to recall the position on the evening on which it was adopted. Lord Balfour of Burleigh had two Amendments on the Paper, independent one of the other, but both resting on the one great principle of affording equal opportunity for all religious convictions and equal advantage for all parents with regard to the education they desired for their children, whether that instruction was demoninational or undenominational. The first Amendment provided that equality of opportunity in regard to all schools; the the second in regard to all days. The former was withdrawn: and he believed that when the history of the debate came to be reviewed it would be found that that withdrawal and the criticisms which led to it would be regarded as one of the great mistakes the House had made. It was now proposed that the second Amendment, which, in the absence of Lord Balfour of Burleigh he had moved and the House had accepted, should also be abandoned. If that were done, he believed the House would have made a second great mistake; for they would have gone back from the principle of religious liberty, set up a position of privilege, given an advantage, and inflicted an injustice. They would have given an advantage to those who preferred or were content with undenominational teaching: because they could have it on every day in the week and at the public expense; they would have inflicted an injustice on those who preferred and required denominational teaching, because they could have it on only two days in the week, and only at their own expense. Moreover, those on whom were inflicted the injustice and the disadvantage were just those for whom the schools to be transferred were built and provided; it was proposed to take those who had already done most, and to say to them that henceforth they should suffer most.

The Lord Bishop of Oxford.

THE LORD BISHOP OF BIRMINGHAM supposed they were all really anxious so to act as, if possible, to procure the passing of a Bill which, regarded from all points of views as suitable, should secure, at least for some considerable period, a settlement of the religious question which for so long had been obtruding itself in such a way as to hinder the real interests of education in general. But if that end was to be secured they must not in revenge for any injustice of the past create another injustice of grave and even startling magnitude. If they on the Episcopal Benches, representing Churchmen, were to acquiesce in the Amendment of Viscount St. Aldwyn he believed there was behind them such a body of opinion and feeling as would sweep them, even contemptuously, aside and refuse to consent to any such acquiescence. He doubted whether their Lordships realised what the transference of schools meant to a great number of people who had loved the schools and worked hard for them. He was cordially at one with the two great principles of State control and the abandonment of religious tests for teachers so far as their place in the Civil Service was concerned, but if those principles were to be carried out the State when face to face with various kinds of religious teaching must preserve an attitude of strict impartiality. What would be the state of mind of persons who had supported these schools in the interests of a particular kind of religious teaching which they believed to be true and valued exceedingly? They might, and in many cases would, see appointed a headmaster who was not a member of the Church of England—a Baptist, a Congregationalist, or even a Unitarian—and undenominational teaching given by such a headmaster would be the primary religious teaching in the school. He could not believe that the people of the country would consent to the gross and unbearable injustice of subjecting the children of Church parents, against their will, and quite arbitrarily, for three days a week, to compulsory religious teaching of a kind which they did not like. If such an enactment were made a statute of the realm it would arouse such an opposition as would make the Act absolutely unworkable, because in these days it was impossible to fight against people who had on their side a manifest injustice. To subject children of Church of England parents on three days in the week, arbitrarily and against their will, in schools built for the maintenance of Church teaching, to teaching which they did not like, when there was someone ready to give the instruction they were anxious to receive, was contrary to the fundamental principles of religious liberty, and would wreck any proposed settlement that Parliament might devise. An analogy might be found by going to a place of academic instruction, and, in the controversy between the old and the modern methods of teaching geometry, suggesting as a compromise that Euclid should be taught on three days a week and modern geometry on two. A settlement could not be arrived at by such a proposal, nor could the new legislation desired by the Government be reconciled with the minds and consciences of the people. He appealed to the great historic Parties in the State to realise that it was a serious matter if at this time of day they were going to set their seal to a deliberate preference of one kind of religious teaching to another, by compelling children to receive religious instruction which they did not want when there was ready for them another kind of teaching which they did want, but which, by the arbitrary fiat of the State, they were prevented from obtaining. It would be a strange thing if the new Labour Party were found to be the only Party really true to the principle that the modern State must maintain an attitude of strict impartiality towards the different kinds of religious teaching. Even if it were provided that the children of Church of England parents might be taught elsewhere than in the school on the three days a week, it would be a great and needless unsettling of the routine of the school. He hoped their Lordships would not, by accepting the proposal of the noble Viscount, sanction an injustice which would be quite capable of upsetting any proposed arrangement which they might have fondly hoped they had arrived at.

THE EARL OF CREWE: The noble Viscount who moved the Amendment has interpreted so correctly the intention of His Majesty's Government in bringing in Clause 3 in the form in which it was introduced that I need say very few words upon this Amendment. I am anxious also on general grounds to make as few Second Reading speeches as possible at this stage, which I regard as a distinctly business stage, and therefore I shall be as brief as I can. The noble Viscount is perfectly correct in saying that in our opinion—and I am glad to know that it is also his opinion—the acceptance of this clause in the form to which it was reduced by the Amendment of the Bishop of Oxford would be destructive of the fabric of the Bill.

*VISCOUNT ST. ALDWYN: I did not quite say that.

THE EARL OF CREWE: At any rate, that the Amendment was entirely alien to the structure of the Bill as introduced. The right rev. Prelate the Bishop of Oxford endeavoured to combat the statement that the acceptance of his Amendment would be to reduce Clause 3 schools very nearly to the condition of schools under Clause 4, and he mentioned three differences between the two classes of schools. One, which was admitted by the noble Viscount opposite, was that in the case of the Clause 4 schools the parents' committee is to be consulted as to the appointment of teachers, and that there was no parents' committee in the case of Clause 3 schools, which, said the right rev. Prelate, constituted an important difference. There is an Amendment on the Paper in the name of Lord Halifax providing for the institution of parents' committees so far as facilities under this clause are concerned, and to that principle we, at any rate, offer no objection; consequently, before the evening is out, that point of difference will probably have disappeared. Then the right rev. Prelate said that in these schools Cowper-Temple teaching would be the rule and facilities teaching the exception. But there is no obligation on the local education authority to have any teaching whatever in the schools under Clause 3, and it would be perfectly possible, under the right rev. Prelate's arrangement, for a local authority with a strong Church of England majority to have five days of Church teaching, and none other Consequently it seems to me that that argument falls to the ground.

THE LORD BISHOP OF OXFORD: That would not be the case if any parents desired undenominational teaching; it would be equally open to them to secure that.

THE EARL OF CREWE: I do not know how. It is entirely in the discretion of the local authority whether it gives any undenominational teaching at all. ["No."] There is a further important difference to which the right rev. Prelate did not allude, namely, that these schools are to receive what in many cases will be a substantial rent, while Clause 4 schools will receive none. If they are to retain so denominational a character as is contemplated by the right rev. Prelate, I imagine a great many people will ask themselves in consideration of what is such a rent to be given. It is all very well to talk of the difference between these two classes of schools, but supposing in a country village where clerical influences are strong you have this five days a week church teaching given by the teacher in the school, in what possible way will that school differ from the Church school that it is at this moment? In no essential respect will it differ at all. It will only be by an exercise of the conscience clause, which we all agree it is hardly to be expected village children will make, that the children of Nonconformists and others who do not care for this special teaching could avoid having to attend it. Everybody knows that where parents are not markedly affected one way or the other, it is to the teaching given by the teacher the children as a body will go.

Two right rev. Prelates have addressed us, but I am disposed to ask them whether they profess to speak the whole mind of the Church of England on this matter. My impression is that there are a very large number of the country clergy who are perfectly content with this provision of two days a week facilities. It is a wing—a very important and active wing—of the Church for which those right rev. Prelates speak so energetically and with so much force, but it is necessary to guard your Lordships against the belief that they are speaking for the Church as a whole, because we know that that is not the case. All I can say is that if this clause remained as it is, there would have been very little object in bringing in the Bill at all, and if the right rev. Prelate imagines that the Bill containing this clause as it stands can pass as a settlement I can only tell him quite frankly that if this provision were to remain in there would be no prospect of the Bill's passing at all.

THE MARQUESS OF LONDONDERRY said that it was with extreme regret that for the first time in his life he found himself opposed to the Episcopal Bench. The two right rev. Prelates who had spoken had put forward their case with force and eloquence, but he could not agree with them, for the simple reason that he believed the Lord President of the Council was right in saying that if the Amendment of the Lord Bishop of Oxford were adhered to it would entirely alter the structure of the Bill. If he had his own way, he would like to see the idea of the right rev. Prelate carried into effect, but, although he had had some considerable experience of denominational schools, he had yet to learn that they devoted five days a week to denominational religious instruction. Two, or at most three, days were the limit of definite denominational instruction, and therefore, opposed though he was to this Bill, he failed to see how they could gain any advantage to the cause of denominational religious instruction by insisting on the Amendment of the right rev. Prelate. The question was a very difficult one, and Church people felt strongly upon it, but he thought the proper line had been taken by Lord St. Aldwyn in declaring that the denominational instruction should be given on two days a week. From his experience he believed it would be found difficult to extend it beyond two days. In his own schools the clergyman and the curate found it extremely difficult to carry out the religious instruction on the two or three days. He was convinced they would find the task impossible if it were extended to five days. Therefore, while he did not swerve in his devotion to the principles of denominational instruction, he sincerely hoped the House would support the Amendment of his noble friend.

VISCOUNT HALIFAX appealed to their Lordships to remember that the schools in question were Church of England schools, provided by Churchmen for the teaching of Church of England children in the Church Catechism. Those schools were now to be transferred to the local authority and to become undenominational schools. It was not a question whether the Catechism was to be taught on two or three days or even on one. The question was on what basis was religious instruction to be given on every day. In the denominational schools where the Catechism was taught the basis of the religious instruction given to the children was that supplied by the answer to the first question in the Catechism—that the children were members of a Church, that they had to live up to the obligations of that membership, and that membership of that Church was a matter of vital importance. The basis of undenominational instruction was that it was a matter of no consequence at all whether they belonged to this or that Church or to any Christian community. How was it possible to reconcile such teaching in the minds of the children? If the Amendment were carried, on three days the children would perhaps be told that our Lord was a great human teacher; they would be asked to commit to memory certain portions of the Bible; they would hear nothing of the Incarnation or of the Atonement; they would only get that teaching which, according to Lord Stanley of Alderley, must not be disagreeable to Unitarians. Then on two days of the week they would be told the exact opposite, that their obligations as baptised members of the Church were of vital importance, and that their duties to our Lord were dependent on the fact that He was God made man for their salvation. How could the faith of the children stand such a contradiction? How could any person in his senses propose a system of religious education open to such vital objections as that embodied in Clause 3 as now proposed to be amended must necessarily be? The Lord President had said the Bill would be wrecked if the clause in its present form were carried. He did not know whether it would be wrecked in Parliament, but it would be in the country if this clause were carried. If the Bill were made decently just, he would transfer the schools belonging to him, but if this clause were insisted upon he would not do so, and he knew that many other owners would take up the same position. He was really unable to understand how His Majesty's Government and his noble friends Viscount St. Aldwyn and Lord Camperdown could sanction what was so radically and inherently unjust. He sincerely hoped the House would not accept the Amendment; even though he stood alone he would divide against it.

LORD RIBBLESDALE hoped that, in spite of the charm and sincerity which distinguished all his utterances on this Bill, the House would pay no attention to the observations which had just fallen from Viscount Halifax, but would bring their minds back to the case put forward by Lord St. Aldwyn in support of this Amendment. With regard to the remarks of Lord Londonderry, he and the noble Marquess were very cordial on the subject of fox-hunting, but he was sorry to say this was the first occasion on which he had found himself in agreement with the noble Marquess on the Education Bill. He agreed with the noble Marquess that it would be practically impossible to give religious teaching in the schools on five days of the week. The Bishops might be able to do it, but they were picked people. Religious teaching was a bump, and the reception of religious teaching was a bump, and he did not believe that either the teachers or their disciples in the ordinary voluntary schools of the country were capable of getting much advantage out of five days a week teaching of that kind. The Bishop of Birmingham had referred to the "gross and unbearable injustice" that would be inflicted in the case of voluntary schools built by people who wanted a particular form of religious instruction to be given in them. Lord Halifax had said that he did not exaggerate, but he did. He himself also spoke with experience of voluntary schools, and in his part of Yorkshire the whole question of denominational teaching in the voluntary schools had turned on the question of the cost to the rates, it being rather cheaper to the rates when the landlord stood in the breach and the tenant had not to find the money. He got a little tired of these *ad captandum* arguments, the spiritual metaphysics, and the sort of prelatic climate with which so much of the discussion of the Bill had been clouded, and he hoped the House would support the Amendment moved by the noble Viscount opposite.

*THE LORD BISHOP OF SOUTHWARK desired to make an appeal to those about him to reconsider their position. He was in whole-hearted agreement with the general case put forward by the Bishops of Oxford and Birmingham, and he thought their case had been entirely mistaken by some noble Lords. Nobody wanted to cram children with the Catechism for five days in the week; what they wanted was that the instruction given should be of one spirit and character. If they had only to deal with schools in which there was ample accommodation, he would say that what had been put forward was quite incontrovertible, and that it was absolutely essential that those who were being deprived of that which they had hitherto had, and for whom the schools were built, ought to be allowed to retain the opportunity of a complete course of religious instruction according to their own convictions and of avoiding the real and grave danger of the clashing of different elements in the instruction. But in the issue before them they were in grave danger of seeming to do that which was unjust, of seeming to do that which was an aggression on the consciences of others. He did not think it could be denied that in some of the country schools this clause as it stood might be used in such a way as to be oppressive to the consciences of Nonconformists. That might be done in a few cases, and the purple rhetoric of invective with which they were so familiar would seize on such instances and inflate them to such proportions as to make it appear that it was being done throughout the villages of the country. If he interpreted the Bill rightly, that would be possible, because there was no clause giving the minority the right to ask for Cowper-Temple teaching. All that was made compulsory was that there should be some religious instruction given in the school on every day of the week, and that requirement would be satisfied by the giving of Church teaching. But that was not all. As Lord Stanley of Alderley had pointed out, there were many schools in which, owing to the staff and the nature of the accommodation, it would be practically impossible to have two kinds of teaching going on at the same time. Therefore if the Church got in possession with the teacher on five days a week there would be no room for anyone else. He would be sorry if they went into the lobby against the noble Viscount's Amendment, because it would give the impression—he was sure it was a mistaken one—that that was what they wanted to happen. If indeed it were true that, as Lord Halifax had said, these children would be compelled to go and hear teaching on the three days which in material points contradicted the definite instruction they desired to receive, he agreed that whatever was necessary should be done to avoid it. But that was not the case. There was a power of withdrawal for religious instruction elsewhere. In country districts the Church of England had always another building in which they could give instruction, namely, the parish church. In many cases the teaching given under the Cowper-Temple clause would serve as a foundation on which more could be built. If something of a very different kind were given, recourse could be had to the power of withdrawing children and so save them from the injustice which had been so eloquently set forth. Therefore his appeal was not that they should in any way compromise their principles, but simply that they should avoid dividing against the noble Viscount's Amendment, because opposition to that Amendment would be regarded not as an assertion of what was justice to themselves, but as an act of aggression and oppression towards others.

THE LORD BISHOP OF CHESTER said that he voted against the Bishop of Oxford's Amendment in Committee, and everything that had happened since had confirmed him in the view that the step that he took on that occasion was the right one. He sympathized with much that had been said by the Bishops of Oxford and Birmingham, but could not identify himself with the kind of arguments used by Lord Ribblesdale. He hoped the Government would realise how very much they were asking and even compelling Churchmen to give up. He identified himself very largely with what the Bishop of Southwark had said and with his appeal to his brethren. He would vote as he had voted before, but in so doing he wished again to emphasise what Churchmen were being called upon to surrender.

VISCOUNT HALIFAX: May I just say, in the interests of peace——

THE LORD PRIVY SEAL (The MARQUESS of RIPON): We are now considering the Report, and unless my noble friend wishes to make a personal explanation he has no right to speak again.

On Question, "That those words be there inserted," their Lordships divided: Contents, 142; Not-Contents, 23.

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VISCOUNT HALIFAX moved the insertion of a new sub-section setting up a parents' committee in connection with Clause 3 schools. He expressed the hope that it would be regarded as non-contentious, as it merely provided a machinery applicable to Clause 3 analogous to the parents' committee which had been agreed to in connection with schools under Clause 4.

Amendment moved—

"In page 3, line 35, after the word 'morning' to insert the following new sub-section: (2) In all schools in which facilities are afforded under this section the parents of the children attending the school shall elect in accordance with regulations to be made for the purpose by the Board of Education four persons, some of whom may be women, who, together with one other person nominated by the owners, and one other person nominated by the local education authority, shall be known as the parents' committee. The parents' committee shall be responsible for, and have the control of, the religious instruction afforded under such facilities.—(*Viscount Halifax.*)

THE EARL OF CREWE: We have no objection to accepting the principle of the parents' committee in connection with the facilities given under Clause 3. There is only one point to which I wish to draw attention. Among those who are to be placed on the parents' committee is one person nominated by the local education authority. I do not exactly see what object there is in placing a representative of the local education authority upon this Committee which has only to settle the facilities teaching, with which the local authority is in no way concerned. I should certainly have imagined that it would be much better to confine the representation to parents and owners of the school.

VISCOUNT HALIFAX: I shall be perfectly prepared to accept that suggestion.

LORD STANLEY OF ALDERLEY thought that in drafting this Amendment his noble friend had overlooked the fact that under it facilities could be claimed in purely council schools. He thought the proposal should be limited to Clause 3 schools. His noble friend evidently intended to deal with Clause 3 schools only, but the wording of the Amendment would include council schools as well as transferred schools, and he thought his noble friend should limit his Amendment to transferred schools under Clause 3.

VISCOUNT ST. ALDWYN said there was one point he hoped the Government would consider. He was glad the Lord-President of the Council had agreed to the principle of the parents' committee in regard to Clause 3 schools. He asked, however, whether as a result there would not be a sort of double management in a large number of schools. Under the local education authority there would be either a local education committee or a committee of managers for all these schools under Clauses 3 and 4, in addition to the parents' committee, and he suggested that it would be much better to enable the parents under Clause 15 to elect a certain number of the managers in each of these schools. There would then be parents' representation on the regular body of management, and no possible conflict could arise between the two bodies as might now very well happen.

THE EARL OF CREWE: I considered the suggestion which has been made, and it certainly occurred to me that if the body of managers are to have control over the religious education in the school there might be a majority of the managers managing the special education who did not belong to the denomination on whose behalf that instruction was being given. The only way that point could be met would be by having a denominational majority, which might, and in some cases undoubtedly would, remove a great deal of power from the local authority. I am afraid the difficulty seems almost insuperable.

LORD BELPER agreed that considerable confusion would exist if, in addition to the local education authority, and the minor authorities with delegated powers, there were also boards of managers and parents' committees. In regard to Clause 4 schools, if those who spoke for the different denominations whose case that clause was intended to meet, considered that a parents' committee afforded the most convenient way of securing the control and regulation of the religious instruction in those schools, he thought there was not much to be said against it, but personally he had serious doubts whether a parents' committee would be the best body, because it would depend so very much on who the parents happened to be when they were elected

In a country school the parents might be the least qualified in a small parish to elect representatives for such a responsible duty as that of dealing with religious instruction. There might be many persons more qualified who were not at that particular moment parents of children in the school. An additional difficulty in regard to Clause 3 schools was that although facilities could be given when a certain number wished for religious instruction of a particular sort, there might be a good many others who desired religious instruction of another sort. Was the parents' committee to represent merely the majority? In that case the religious instruction would not be carried on to the satisfaction of the parents of all the children in the school. It was very difficult to contest the wish of those who asked for a parents' committee in connection with Clause 4 schools, but if they were going to appoint parents' committees for Clause 3 schools, for State-aided schools, and for Clause 5 schools as well, it would give rise to very great difficulty and confusion, and eventually some arrangement would have to be made by which the parents' committee should either form a sub-committee of the managers or in some way be a part of the board of managers.

THE MARQUESS OF SALISBURY recognised that there were considerable difficulties in providing a parents' committee in the case of Clause 3 schools, and he was not quite sure that the noble Viscount had thought out how it would work. There might be a case in which a large majority of the children were of Nonconformist parents, and in which, perhaps, a small minority had obtained Clause 3 facilities. Those facilities would be Church of England facilities, and yet under the Amendment they would be managed by a parents' committee elected by a majority of Nonconformists. He was not sure that the noble Viscount would like his Amendment so much as at first if he looked at it from that point of view.

LORD DAVEY did not know whether noble Lords had any experience of a parents' committee. He had for several years in his village, and he could not say that he ever obtained much assistance from them; they generally agreed with "your Lordship." He looked upon it as a matter for the people who were interested in the giving of religious instruction to settle for themselves.

VISCOUNT HALIFAX said he would not press the Amendment.

Amendment, by leave, withdrawn.

THE EARL OF CREWE: The next Amendment is a small one standing in my name for the purpose of making Sub-section (2) of Clause 3 read as follows: "No part of the expense of giving religious instruction of a special character under this section other than expenses involved in making the schoolhouse, so far as necessary, available for the purpose in the same manner as for other school purposes, shall be paid by the local education authority." At an earlier stage of the proceedings I promised to find words which would make it quite clear that the ordinary conduct of the school in the way of lighting, heating, and so on, was included in the charges to be paid by the local authority. Therefore I move to insert the words, "other than expenses involved in making the schoolhouse, so far as necessary, available for the purpose in the same manner as for other school purposes."

Amendment moved—

"In page 3, line 37, after the word "section" to insert the words "other than expenses involved in making the schoolhouse, so far as necessary, available for the purpose in the same manner as for other school purposes"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

LORD ASHBOURNE, in moving the substitution of a new sub-section for subsection (3), said it was merely a question of a choice of words. His proposal brought in the element of the owner being satisfied, and the Lord-President of the Council would probably agree that it was a better form of words than that in the Bill and consent to its insertion.

Amendment moved—

"In pages 3 and 4, to leave out sub-section (3) and insert the following new subsection:—'If any question arises under this section between the owners of the schoolhouse and the local education authority, including any question as to the mode in which the facilities should be afforded, that question shall be determined by the Board of Education.'"—(*Lord Ashbourne.*)

The Earl of CREWE: I make no objection to the Amendment proposed by the noble and learned Lord.

On Question, Amendment agreed to.

The Marquess of SALISBURY said that in moving the insertion of the new clause standing in his name, he would not make another speech, as he had already dealt with the subject.

Amendment moved—

"To insert the following new clause:—(1) If the parents of a reasonable number of children attending any public elementary school require facilities for their children of the same character as those to be afforded under Section 3 of this Act, and, in the opinion of the local education authority, those children cannot conveniently attend some other public elementary school in which facilities for religious instruction of the special character desired by the parents are afforded, the local education authority, without prejudice to any of their powers or duties under Section 3 of this Act, shall, so far as it is in their opinion reasonably practicable to do so, afford those facilities in the school within school hours accordingly. (2) No part of the expense of giving religious instruction of a special character under this section shall be paid by the local education authority."—(*The Marquess of Salisbury.*)

The LORD BISHOP of HEREFORD, after apologising for intervening at the present state of the debate, said there was a great deal to be said in favour of the Amendment. It left the hands of the local authority quite free, in which respect it compared very favourably with many of the Amendments which their Lordships had inserted. But his experience of schools, both in town and in country, led him to believe that there was much more to be said against the Amendment than for it as a practical working proposal. He was convinced that the administrative difficulties would be very great, and would lead to much confusion. He believed there was a great deal of force in the remarks of the Bishop of Birmingham with regard to the controversy and consequent bitterness which this Amendment, if passed, would introduce into many municipal elections. If for no other reason than that, the House would do well to hesitate before accepting the Amendment. Many of them were utterly weary of the sectarian bitterness which had been in the atmosphere for the last four or five years, and he was afraid that this Amendment would lead to a great deal of that undesirable feeling in many of our large towns, certainly at election times, and possibly at other times also. He opposed the Amendment as well on other grounds. Most of their Lordships would recognise what a feeling would be aroused if the idea got abroad that Church people desired to capture the council schools. That idea had great vogue some years ago, and he feared this Amendment would give it a fresh lease of life. It was easy to argue that there was no such intention, but it was very difficult to persuade people with regard to intentions. He hoped the Amendment would not be accepted.

The Earl of CREWE: I said my say at an earlier hour in the evening on this Amendment, and we took a division which, although technically it only affected the harmless word "that," was really intended to apply to this Amendment. I quite admit, in view of the fact that an Amendment inserted on his Motion was struck out by the operation of the noble Marquess' new clause, the right rev. Prelate the Bishop of Hereford had every right to intervene at this stage, but I hope your Lordships will now agree to allow the Question to be put.

On Question, "That the proposed new clause be there inserted," resolved in the affirmative.

The Marquess of SALISBURY, in the absence of Viscount Ridley, moved to insert after the word "application" in Clause 4, the words, "or in case of dispute with the applicants if the Board of Education are satisfied." Their Lordships would remember that in Committee they inserted in sub-section (2) an Amendment very much on the lines of that now proposed. Sub-section (2) dealt with the case where extended facilities were to be withdrawn, and an appeal was given to the Board of Education, if there was a dispute between the local education authority and the owners as to the propriety of the withdrawal of the permission. At that time it was understood that a similar Amendment would, on Report, be moved in sub-section (1), and the proposal now put forward was to carry out that intention. There were three cases contemplated by the Bill of schools who would be in treaty with the local authority for extended facilities. First, existing schools that were not yet transferred; secondly, transferred schools; and, thirdly, transferred schools which obtained extended facilities but were not satisfied with the extent of those facilities. There was an appeal provided, though perhaps not a very adequate appeal, in the first and third cases, but not in the second case, the case of a transferred school which applied for extended facilities which were not granted. That was a distinction which could not be defended. It was absolutely essential that there should be some appeal. The Lord President of the Council would probably say that inasmuch as Clause 4 had been made mandatory, no appeal was required. The Opposition did not admit that. No doubt in a case of pure discretion an appeal was even more necessary than in the present case, but there were in Clause 4 many conditions which had to be satisfied, which were more or less matters of the judgment of the local education authority. That judgment might err, and there ought to be a remedy against the possibility of that error.

Amendment moved—

"In page 4, line 13, after the word 'application,' to insert the words 'or in case of dispute with the applicants if the Commission are satisfied.'"—(*The Marquess of Salisbury.*)

THE EARL OF CREWE: It is quite true, as the noble Marquess has said, that one of my arguments in reference to this Amendment is that by inserting the word "shall" you have made this clause mandatory, and it is clear that where the facilities are demanded the authority is open to a mandamus, if it refuses to give them. But this proposition of the noble Marquess is of rather a different character. All the other appeals are made by the owners, whereas this is made by the parent.

THE MARQUESS OF SALISBURY: The owner is a possible applicant too.

THE EARL OF CREWE: There is also this possibility to be considered, that an owner might transfer a school on ordinary Clause 3 terms, and get a rent for it. If, however, it is to be turned into a Clause 4 school he will cease to get any rent for it. Therefore you are placing yourself in the possible position of having an owner who is quite content with Clause 3 facilities pulling one way, and a body of parents who want a Clause 4 school pulling another. That seems to me to suggest a very awkward possibility. I do not know whether the noble Marquess has contemplated it, but it seems to me to be a departure from the principle upon which we have been going, that these matters were the concern of the owner, because the property of the school is transferred.

On Question, "That those words be there inserted," resolved in the affirmative.

*THE MARQUESS OF LONDONDERRY said that the Amendment he was about to propose was one upon which he and those with whom he usually acted laid great stress. Their Lordships would remember that in Committee, on the Motion of Lord Jersey, an Amendment was carried enabling a bare majority instead of a four-fifths majority to decide the future conduct of the schools dealt with in this clause. The acceptance of that Amendment prevented Lord Camperdown from moving an Amendment similar to that he was about to submit to the House, namely, that the majority required before extended facilities were granted should be a two-thirds majority instead of four-fifths. If this Amendment were carried the sub-section would read "That as the result of a ballot taken previously to the inquiry as to the wishes of the parents in accordance with this section, it appears that the parents of at least two-thirds of the children attending the school whose parents take part in the ballot desire those facilities." He thought that that was a fair proposal, and struck the happy mean between the four-fiths of the Government Bill and the bare majority of Lord Jersey's Amendment. They on the Opposition side of the House were not inclined to insist on the words of Lord Jersey's Amendment, because they agreed that in these denominational schools there should be a distinct predominance of parents of the children attending the school in favour of a denominational atmosphere. They recognised that, if a bare majority were sufficient, there would be constant fluctuations, and it would be very difficult to decide what was a bare majority. There would be an ebbing and flowing of the tide, at one time above and another time below what might be called the extended facilities high-water mark. Therefore they agreed that the number of parents in favour of the denominational character of the school must be sufficient to be always in a large permanent majority. The Government proposed four-fifths, the Opposition two-thirds. The Opposition held that if the parents of two-thirds of the children wanted extended facilities that fraction was certainly a distinct predominance sufficiently marked to secure to the majority their rights. The fraction of two-thirds was not chosen at haphazard. It was a favourite fraction with trade unions, clubs, and other bodies when some far-reaching decision had to be taken, and he had been informed this evening that such a practical body as the London County Council required two-thirds of its members to be present and vote when a tramway was to be purchased. Noble Lords with whom he acted held that to allow a minority of one-fifth to trample on the consciences of four-fifths was playing fast and loose with the declaration of Mr. Birrell, that—

> "the Government intended, when they caused that clause to be drafted, that it should be a real, and in no sense an illusory clause."

Without discussing the clause itself, he felt that unless some Amendment such as this were accepted, the words of Mr. Birrell would not be carried out, and the clause would be nothing less than illusory, he had almost said a sham. How could the Government maintain that it was a real clause when they would deny to the parents of eighty children their right to have their children taught their religion because the parents of twenty other children either objected, or were too lazy or apathetic to say they did not object. They held that two-thirds was sufficiently overwhelming to secure that denominational instruction which was really desired in the school. On the other hand, it did not give a small minority power to wreck the clause. They were anxious to protect the interests of the minority, but not at the expense of the interest of the vast majority. The second part of his Amendment had reference to the fact that in the Bill the parents who did not vote were to be counted as voting against extended facilities. His Amendment simply provided that the majority should be the majority of those who had voted and not the majority of those actually on the register of the school. The novel method of procedure in the Bill would involve the peculiar result that the election would be decided, not by those who took part in the ballot, but by those did not. The Government argued that if the parent was so indifferent to the extended facilities as not to vote that fact ought not to be ignored. But could it be said that it was right that one indifferent parent should be equal to four who were not indifferent? He could not see by what reasoning such a position could be defended. The Government said they were endeavouring to make this clause a real clause, and he thought it might be made a real clause if his Amendments were accepted. But he was bound to say if the clause were allowed to remain in its present shape it would be found to be not only illusory but a sham. On these grounds he begged to move the Amendment standing in his name.

Amendment moved—

> "In page 4, lines 16 and 17, to leave out the words 'the majority' and insert the words 'at least two-thirds.'"—(*The Marquess of Londonderry.*)

THE EARL OF CREWE: My Lords, I am afraid it is entirely impossible for the Government to accept the Amendment of the noble Marquess. I see that the noble Lord, Earl Jersey, who is responsible for the bare majority proposal, has put down an Amendment to the effect that the majority should be three-fourths, but without the proviso moved by the noble Marquess which confines the majority to those voting. But the noble Earl, for some reason best known to himself, does not proceed with his Amendment, and we have, therefore, to deal with that of the noble Marquess. I have no hesitation in saying that, as this matter stands on the proposition of the noble Marquess, I am not sure that, of the two, it would not be more reasonable to leave the decision to a bare majority. We say that if these schools are to have this particular privilege and atmosphere attaching to them, it must be for the predominance of the denominational character. Whether two-thirds asserts that character, or whether it requires three-fourths, is a matter on which each side has its own opinion. It is no use arguing the matter. "Predominant" is not a technical term, and you cannot say it applies to one more than the other. But we do not consider that a school which has one-third of an entirely different complexion is the kind of school to which we desire these facilities to apply. If the second Amendment is debated, there is nothing to show that the school can hold the children of parents who do not share the denominational view. In a school of 100 children, you may have the parents of seventy not voting at all, and of the remaining thirty, twenty voting for the facilities and ten against. How can it be said that the parents of those twenty children represent the parents of the majority of the children in the school? Greatly as I object to the proposition that the bare majority should have this exceptional power, I should prefer it to the two-thirds proposal, if the proportion is to be of the parents voting. If the noble Marquess' Amendment were carried it might happen, especially in rural districts, that for some reason or other these schools would obtain facilities, although only a small minority of the parents desired them.

*LORD BALFOUR OF BURLEIGH said the House would have listened, he thought, with some surprise to the speech which the noble Earl had just made. As was frequently the case, this House was now discussing two Amendments at the same time, and it was quite possible that they might wish to accept one and not the other. He would confine himself to the one which had been put from the Chair. He was one of those who voted against the "bare majority" in the Committee, preferring, as he did, the other proportion, but the Amendment to substitute two-thirds for "bare majority" could not be moved, because he was told it was not possible to do it in that way. Notice was at once given that the question would be raised at this stage of the Bill. He thought, therefore, it was not at all unreasonable that this Amendment should be brought to the notice of the House. It seemed to him that it would be going nearer to the wishes of the Government to take a larger proportion, whether it was three-fourths or two-thirds, and had it not been for the speech of the noble Earl he should have suggested that three-fourths was the proper proportion to take. It seemed to him that the Amendment would be reasonable and fair, and it would show a disposition on the part of the House, he would not say altogether to meet the views of the Government, but to have a more adequate proportion. He supported the Amendment of the noble Marquess.

THE EARL OF CREWE: It is perfectly clear that though there may be some who would prefer three-fourths to a bare majority, we cannot accept the Amendment.

THE DUKE OF NORFOLK felt bound to say that he and many others felt that there was the barest element of justice in the Amendment of the noble Marquess on the Front Opposition Bench, but they realised equally with the majority of those voting that it was to a certain extent a fusion of their ideas and that they must accept it. The noble Earl opposite had thrown an entirely false aspect over the matter when he said it was uncertain whether those voting wished for a denominational school. That was the initial injustice of the whole procedure. They were dealing with a school which was a denominational school; built for the children of a particular denomination; supported for years at the cost of great anxiety and great sacrifice by the denomination; and the children of the denomination were to be driven from it by the parents of a minority of the children of a different denomination which the law had compelled the denomination owning the school to admit into its school. Who would permit such a thing in his club? They were now putting forward a proposition that a minority might insist upon and compel a change in an institution built for one purpose and kept for that purpose for many years. The only thing that could make such a provision tolerable would be the proposition that the people concerned should at least be compelled to vote. It seemed to him that a great revolution was being brought about in the schools. It was the denominational school that was being struck at. The whole character of the schools was to be altered by a minority who did not agree with the denomination for which the schools were built. All he could say was that he and those who agreed with him came with many regrets to the conclusion that they could not but accept the proposition put forward by the noble Marquess and they would be obliged to divide the House upon it if the "two-thirds" proposition could not be accepted. He believed that that proposition did make it possible for him and those who agreed with him, though with a great strain, to accept this proposition.

THE LORD BISHOP OF LONDON said he entirely concurred with what had fallen from the noble Duke. They thought that here they were holding out an olive branch. With great effort they had brought themselves to agree to a bare majority, and they thought that that was going to be the basis of peace. It was with great disappointment that they had heard the declaration of the noble Earl. They did not intend to press the bare majority. If it was a case of those voting they were prepared to accept the two-thirds majority. Beyond this it was impossible for them to go.

*LORD STANLEY OF ALDERLEY said the House must discuss this question as a whole and not make two bites at a cherry. Clause 4 was to apply to certain schools which were so exceptional in their character that, although they were to be run at the public expense, they were also to have an exclusive and denominational character. He reminded the noble Earl that this would not apply only to schools in populous places, but that it might apply to one single school in a parish. Many Amendments had been placed upon the Paper showing that it was intended to knock out all provision for alternative accommodation, and all he wanted to do before the vote was taken, was to show how illusory this proposition was. Before a school could be taken out of what might be called the common law of schools, it must be shown that a majority of the parents desired it. The fact of people not coming for these facilities showed that they did not desire them. Three-quarters of the people voting would be a very large poll, but two-thirds of that three-fourths would not be a majority of the parents of the children in the school. The noble Marquess had pointed out that the rules of the county council required when a tramway was to be purchased that two-thirds of the council must be present and vote. But a majority of two-thirds of two-thirds would be less than a majority, because it would only be four-ninths of the whole. At these polls no one would expect to get a larger number of parents than used to vote at contested school board elections in the past. At contested school board elections as a rule less than half the people entitled went to the poll. It was far better, from his point of view, that there should be a bare majority of the whole than a majority of two-thirds of a flexible number which would be far less than a majority of the whole.

THE EARL OF CAMPERDOWN said that as he had attempted to move this Amendment he might perhaps be allowed to say that he quite agreed with the noble Duke and Lord Stanley that these two Amendments must be taken together. It was suggested by the noble Marquess that the majority should be two-thirds of those who voted. Although he himself was quite prepared to vote for a two-thirds majority, he certainly was not prepared to vote for a two-thirds majority of those who voted. It might happen that only a very small number voted, and then the majority of two-thirds of those who voted would not represent the desires of the parents. Two-thirds of a bare majority appeared to him to be quite an insufficient majority. He did not care whether it was a two-thirds or a three-quarters majority, but it must be of the whole and not of those who voted.

LORD DAVEY said the case was even stronger than his noble friend had put it. It was not two-thirds of the parents, but the parents of two-thirds of the children. Their Lordships were aware that some parents had two children, some three, some four, and it was quite conceivable that in the school two-thirds of the children might be the children of a minority of the parents. It could hardly be suggested that a minority of the parents ought to determine the character of the school. The same objection applied to the original proposal of the Government. He did not think this proposal was satisfactory. He quite agreed that under the original proposal of the Bill it was to be the parents of four-fifths of the children, and this Amendment suggested the parents of two-thirds of the children, but the clause must be looked at as it was proposed to be left. When it was found that it was not to be two-thirds of the parents of the children, but the parents of two-thirds of the children, counting only those parents who voted, he left the matter to a better arithmetician than himself to determine what the result would be.

*THE MARQUESS OF LANSDOWNE: I quite agree that the size of the fraction is not a matter of great importance, as between two-thirds and three-fourths, it is a question of degree. I prefer two-thirds, and I shall vote for that fraction. But on the other question as to whether it should be two-thirds of those who vote or of the total number of the parents, I am bound to say that, with every desire to understand the arguments by which it is suggested that it should be two-thirds of the total number, I am quite unable to put myself in the mental position of the noble Lords who put that solution to us. What is the case which the Lord President of the Council put just now? The noble Lord said you might have 100 parents of whom seventy were too lazy to vote, and the decision, therefore, would remain with the thirty. The noble Lord thought that was a ridiculous result and one which could not be contemplated. But after all, what is the issue which these people have to determine? The suggestion is that a condition of things which has existed for a long time, encouraged by private benefactors, and recognised by the Government, is to be suddenly and completely changed. Is it not fair in that case to conclude that if a large number of the parents abstain from voting, their abstention may be regarded as an indication that they are on the whole content with things as they are? I can conceive their being counted as opponents to the change and I can conceive their being counted as neutral, but I cannot conceive how they can be counted as advocates of the change. Therefore, although I regret to find myself differing from the Earl of Camperdown, with whom I generally agree, I am bound to say that in my opinion the balance of the argument is in favour of those who vote, and I shall record my vote in that way.

On Question, "That the words 'the majority' stand part of the Bill," resolved in the negative.

Words proposed inserted.

Amendment moved—

"In page 4, line 17, after the word 'school' to insert the words 'whose parents take part in the ballot.'"—(*The Marquess of Londonderry.*)

On Question, "That those words be there inserted," their Lordships divided:—Contents, 97; Not-Contents, 47.

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Kinnaird, L.
Lyveden, L.
Monk Bretton, L.
Monkswell, L.
Monson, L.
O'Hagan, L.
Pirrie, L.
Reay, L.
Rendel, L.
Ribblesdale, L.
Ritchie of Dundee, L.
Sanderson, L.
Sandhurst, L.
Saye and Sele, L.
Shuttleworth, L.
Stanley of Alderley, L.
Tweedmouth, L.
Wandsworth, L.
Weardale, L.
Welby, L.

House adjourned at a quarter before Twelve o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS.

Thursday, 29th November, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

Petition from Selkirk, in favour; to lie upon the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petition from Scroton, against; to lie upon the Table.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).

Petitions against alteration of Law: From Benington; and Sutterton; to lie upon the Table.

INDO-CHINESE OPIUM TRAFFIC.

Petition from Wilmslow, for suppression; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petition from Cuckfield, for extension to women; to lie upon the Table.

SUPERANNUATION OF TEACHERS.

Petition from Leeds, for alteration of Law; to lie upon the Table.

RETURNS, REPORTS, ETC.

CONVOCATIONS OF CANTERBURY AND YORK (LETTERS OF BUSINESS).

Return presented, relative thereto [Address 24th October; *Mr. Paul*]; to lie upon the Table.

STREET BETTING (CONVICTIONS).

Return presented, relative thereto [Address 1st November; *Mr. H. H. Marks*]; to lie upon the Table.

CIVIL CONTINGENCIES FUND.

Return presented, relative thereto [ordered 28th November; *Mr. McKenna*];

to lie upon the Table, and to be printed. [No. 366.]

RAILWAY AND CANAL TRAFFIC ACTS, 1888 AND 1894.

Copy presented, of Ninth Report by the Board of Trade of Proceedings under Section 31 of The Railway and Canal Traffic Act, 1888, including Proceedings upon Complaints made under Section 1 of the The Railway and Canal Traffic Act, 1894 [by Act]; to lie upon the Table and to be printed. [No. 367.]

RADIOTELEGRAPHIC CONVENTION.

Return presented, relative thereto [ordered 15th November; *Mr. Sydney Buxton*]; to lie upon the Table, and to be printed. [No. 368.]

INCOME TAX.

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 365.]

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Duties of Richmond (Surrey) Postal Staff.

MR. CAVE (Surrey, Kingston): To ask the Postmaster-General whether his attention has been called to the fact that the indoor staff at Richmond, Surrey, are still liable to split duties and extended hours of attendance, although last July a revision was stated to be under consideration; and whether he can now state when this revision will be put into force.

(*Answered by Mr. Sidney Buxton.*) I have approved a revision of the indoor force at Richmond, and it will be carried out as soon as possible. It will then be possible to reduce the number of split duties and the range of attendance.

Shrewsbury Post Office Staff.

MR. HENRY (Shropshire, Wellington): To ask the Postmaster-General whether he has decided to reduce the telegraph staff at Shrewsbury by two males, on the ground that the decrease of work makes this step necessary; and whether he will state why it is necessary at the same time to advertise for three female telegraphists, to be stationed at this office.

(*Answered by Mr. Sydney Buxton.*) In consequence of the decrease of telegraph work at Shrewsbury it was found possible to afford assistance which was needed on the postal side, by transferring two male sorting clerks and telegraphists from the telegraph force. No additional female telegraphists are required at present; and none have been advertised for.

Local Education Authority and Headmastership of Aberdare Town National Schools.

SIR WILLIAM ANSON (Oxford University): To ask the President of the Board of Education whether his attention has been called to the action of the local education authority in respect of the Aberdare town national schools; whether the authority declined to confirm the appointment of a head teacher for the school until the 14th November, although they were informed of a vacancy in the office before the end of July, and though the name of the teacher whose appointment they subsequently confirmed was submitted to them on the 3rd September; and whether they have declined to pay the salary of the head teacher allowed before the 14th November, and have now fixed his salary at a lower scale than that which they adopt for head teachers in their council schools.

(*Answered by Mr. Birrell.*) I had not heard of the case until my attention was called to it by the hon. Baronet's question. From investigations I have now made it would appear that the answer to the various paragraphs of the question is in the affirmative, except that I have not sufficient information before me to enable me to form a judgment as to how the salary fixed by the local authority compares with those paid to head teachers in the council schools.

Legacy and Succession Duty Accounts.

MR. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer whether he is aware that legacy and succession duty accounts, and the head office querie relating to them, were formerly passed through local distributors of stamps, many of whom being collectors of Inland Revenue to whom the duty was paid; will he state why this arrangement was altered to one by which accounts may be sent direct to Somerset House through the post office, the queries from the head office sent direct to interested parties without passing through the hands of any Government official possessing local knowledge, and the duties arising from the accounts remitted direct to Somerset House; will he say whether this system is still in force; and has he considered the possibilities for evasion such a system presents.

(*Answered by Mr. Asquith.*) The present system has been in operation since 1878. I believe that the reasons for the change then made were economy and simplification of administration. The arrangement does not prevent the Board of Inland Revenue from obtaining full advantage of the local knowledge possessed by their officers in the districts, to whom reference is made when necessity arises.

Consular Service—Examination and Conditions of Entry.

MR. YOXALL (Nottingham, W.). To ask the Secretary of State for Foreign Affairs whether he has any official information showing that the fact that of 200 applicants for examination for appointments as vice-consul only three candidates with commercial experience presented themselves on the last occasion, is largely explained by the facts that only one vacancy was offered to such candidates and that it would have been necessary for them to attend an examination lasting a week and to pay a fee of £4; whether any steps had been taken, except immediately prior to the examination, to make known the new conditions of entry to the consular service among the class of young business men whom the Committee of 1903 especially desired to attract; whether any action is to be taken to give effect to the opinion of the Committee of 1903, in paragraph 3 of Section 6 of the Report, to the effect that nominations should eventually be confined to candidates possessing some business experience; and whether, in view of the fact that since the adoption of the scheme based on the Committee's proposals only one vacany out of thirteen has been so filled, he will take into consideration the desirability of offering all or most of the vacancies which occur in the future to candidates with commercial experience, and of making the announcement and conditions of examination arranged more widely known in commercial circles than is the case at present.

(*Answered by Secretary Sir Edward Grey.*) Two out of the five vacancies known before the consular examination were reserved for commercial candidates, but, as only one competitor qualified, the second vacany reverted to the general candidates. With regard to the steps taken to make known that commercial candidates would be welcomed, I must refer the hon. Member to the reply given him on this subject on the 12th instant.† The fact that 200 applications from commercial candidates were received would in itself appear to be sufficient proof of the success of these efforts. Paragraph 3 of Section 6 of the Report of the Committee of 1903 does not recommend that nominations should eventually be confined to commercial candidates, neither do I consider that such a course would benefit the public service. The duties of consuls are not restricted to commercial matters, though all who enter the consular service work at the Board of Trade before taking up posts, in order to get some insight into commercial requirements. Though it is hoped that commercial candidates will continue to compete at consular examinations, and that they will be successful in obtaining a proportion of the vacancies, it would be manifestly unfair to admit men already provided with a livelihood into the service on any other terms than those of perfect equality with the ordinary candidate, who spends much time and money in preparing himself for the profession which he has selected. I am under the impression that the announcement and conditions of examination are made widely known, but I am ready to consider any suggestion for doing this which has not yet been adopted.

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† See (4) *Debates*, clxiv, 1019.

Shipping Combine at Singapore.

MR. WALKER (Leicestershire, Melton): To ask the Under-Secretary of State for the Colonies whether, with a view to official evidence on the subject being given before the Royal Commission upon Shipping Freights, he will call the attention of the President of the Board of Trade to the statements in the latest Colonial Report from the Straits Settlements regarding the injurious effects of the action of a combination of shipowners upon the trade of Singapore.

(*Answered by Mr. Churchill.*) Any information in the possession of the Colonial Office on the subject will, of course, be communicated to the Board of Trade.

Civil Servants and Private Occupations.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): To ask the Secretary of State for the Home Department whether His Majesty's Inspectors of Mines are permitted to carry on any private business during their tenure of office.

(*Answered by Mr. Secretary Gladstone.*) The Inspectors of Mines are subject in this matter to the general rules applying to all officers of the Civil Service. No officer is allowed to accept any office which would be liable to take him away from, or interfere with the discharge of, his official duties. In particular it is provided by the Order in Council of 15th August, 1890, that no officer shall be allowed to accept any part in the management of any society, or any trading, commercial, or financial company which would require the attendance of such officer at any time between 10 a.m. and 6 p.m.

Inland Revenue Entry Forms Nos. 103, 103a and 103b.

MR. O'SHEE (Waterford, W.): To aske the Secretary to the Treasury under what regulations of the Inland Revenue are the entry forms, Nos. 103, 103a, 103b, required to be filled up and signed by persons or corporations engaged on the retail licensed trade; when were these regulations made; what object the filling up and signing of the forms now serves; whether the rooms specified by a licensed trader as those in which he stores or retails beer, wines, and spirits, may or may not correspond with his licensed premises; and whether, in case the rooms specified form only a part of the premises which are licensed, the trader is liable to any penalty under the Inland Revenue Acts for storing or retailing in other rooms included in the licensed premises but not specified in the entry form?

(*Answered by Mr. Runciman.*) The entry forms in question are required by The Spirits Act, 1880, and other enactments going back as far as the year 1795 The main object is to provide a system of registration of the responsible owners of the business, of the premises occupied, and of the rooms set apart for specific purposes. The whole of the premises licensed must be specified in the entry. Whether a penalty would be incurred in the circumstances suggested depends upon the statutory provision applicable to the particular business carried on.

Visits of Vice-Consuls to Trade Centres.

MR. YOXALL: To ask the President of the Board of Trade whether, in view of the suggestion which has been referred to him by the Secretary of State for Foreign Affairs, that newly-appointed vice-consuls should, prior to their leaving for their posts abroad, be enabled to visit the chief commercial and manufacturing centres in the United Kingdom, particularly those connected by trade with the consular districts to which they are to proceed, he will communicate with the chambers of commerce in such centres with a view to facilities being afforded for the vice-consuls to visit representative manufacturing establishments and to become better acquainted, by personal intercourse with the chambers of commerce, manufacturers, and traders, with the kind of consular information which those bodies and classes consider of most value?

(*Answered by Mr. Lloyd-George.*) I propose to consult the Advisory Committee on Commercial Intelligence on the suggestion of my hon. friend. As at present advised I am disposed to attach more importance to making arrangements for consular officers already appointed to various districts abroad and possessing knowledge and experience of of those districts to pay visits, when in the United Kingdom, to the chief commercial and manufacturing centres connected by trade with their consular districts. In several cases the Board of Trade, in co-operation with the Foreign Office, have arranged visits of this kind, with useful results, and I hope that it will be possible to extend the system. Newly-appointed consular officers spend some weeks in the Commercial Intelligence Branch of the Board of Trade before proceeding to their posts.

Filling of Vacancies in His Majesty's Dockyards.

Mr. ERNEST LAMB (Rochester): To ask the Secretary to the Admiralty that vacancies at the top rates of pay may be filled as they occur in His Majesty's dockyards.

(*Answered by Mr. Edmund Robertson.*) It is the custom now to do so.

Deaths from Cancer in London.

Mr. B. S. STRAUS (Tower Hamlets, Mile End): To ask the President of the Local Government Board whether he could give him any information as to the districts in London where deaths from cancer are most prevalent.

(*Answered by Mr. John Burns.*) I do not think I can add anything to the information on this subject given as respects each registration district in London in the Reports of the Registrar-General. I may, however, state that the Registrar-General would be happy to see my hon. friend with regard to the matter, if he would make an appointment with him for the purpose.

Medical Relief to Destitute Married Women.

Mr. BENNETT (Oxfordshire, Woodstock): To ask the President of the Local Government Board whether it is the duty of guardians of the poor to give medical relief to destitute married women, when necessary, before, at, and after confinement, on their own application, just as much as to destitute single women under the like circumstances.

(*Answered by Mr. John Burns.*) The reply is in the affirmative.

Children in Islington Workhouse.

Mr. H. J. WILSON (Yorkshire, W.R., Holmforth): To ask the President of the Local Government Board if his attention has been drawn to a report made by an assistant inspector, in July last, regarding the children in the St. John's Road Workhouse of the Islington Board of Guardians, which states that the number of children over three years old normally in the workhouse appeared regrettably large; that recently there were nearly sixty such children, and that there appeared to be rarely less than thirty who remain in the workhouse from a fortnight to three weeks or a month; that there were no means of separating the children from the adults, or of instructing, amusing, or supervising them; and that some of the boys slept at night on the floor in a room in which were adult inmates; and if he will state what steps have been taken to remedy this state of affairs.

(*Answered by Mr. John Burns.*) I am aware of the report referred to, and have been in communication with the guardians on the subject. I am glad to say that the latest figures I have seen show that, in the week ended on the 24th inst., there were only thirteen children above three years of age in the workhouse. Some new buildings are being erected there and are nearly completed. I am assured that when they can be used better arrangements will be made for the children. I will not lose sight of the matter.

"The Times" Report of the British Indians in the Transvaal Deputation.

Mr. SWIFT MACNEILL (Donegal, S.): To ask the Secretary of State for India whether the report of the proceedings of the deputation on behalf of British Indians in the Transvaal on Thursday 22nd November, which appeared in *The Times* on Friday, was communicated to *The Times* by any official of the India Office; and, if so, seeing that no reporters of the Press were allowed to be present, and that the impression of the members of the deputation was that the proceedings were intended to be confidential, why this report was communicated to *The Times* and not to those organs of the Press which are supporters of His Majesty's Government.

(*Answered by Mr. Secretary Morley.*) The report was not communicated to *The Times* by or with the authority of any official of the India Office.

Condition of the Ballinamore Canal.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the present derelict condition of the Ballinamore Canal from the Shannon to the Erne; is there any section of the canal at present available for the passage even of small boats; who has the charge of the canal, and is any person responsible for its upkeep as a canal; and was the canal constructed with public money.

(*Answered by Mr. McKenna.*) I am informed that the navigation was constructed at a cost of £228,652, of which £198,652 was a free grant from the public Exchequer. The remainder, £30,000, was repaid by the counties of Leitrim, Cavan, Roscommon, and Fermanagh. The navigation was vested in trustees called the trustees of the Ballinamore and Ballyconnell Navigation. It was abandoned by them in 1865 owing to absence of trade. I have no means of ascertaining whether any part is navigable by small boats.

Tolls on Vessels navigating the Shannon.

MR. FETHERSTONHAUGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any tolls are charged to vessels navigating the Shannon between Limerick and Carrick-on-Shannon; will he state the number of boats, other than pleasure-boats or steamers for excursionists, which passed through the Athlone lock in the present year, if any record is kept; and has he received any representations from traders in Carrick-on-Shannon or elsewhere complaining of the navigation charges or tolls.

(*Answered by Mr. McKenna.*) I am informed that (1) Tolls are charged on the Shannon Navigation on vessels passing between Limerick and Carrick-on-Shannon in accordance with the schedule to The Canal Tolls and Charges Act, 1894 57 and 58 Vic., c. 206). Tolls are not charged in respect of the lakes forming part of the navigation, though those lakes are buoyed and marked at considerable expense to the navigation funds. (2) From the records kept it appears that the number of boats and steamers that passed through Athlone lock from 1st January, 1906, to 25th November, 1906, exclusive of pleasure boats and excursion steamers, was 1,129. (3) No representations from traders in Carrick-on-Shannon or elsewhere have been received by the Board of Works complaining of the navigation charges and tolls.

Fair-Rent Cases pending in Tralee District.

MR. FLAVIN (Kerry, N.): To ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can give the number of cases pending in the district of Tralee to have fair rents fixed before the Land Commission; and whether he can state about what time the next sitting of the Land Commission will take place at Tralee.

(*Answered by Mr. Bryce.*) I am informed by the Land Commission that there are thirty-five cases from the district of Tralee in which the applications to fix fair rents have not yet been listed for hearing. These were all received since the commencement of the present year. A list for hearing, containing cases from the district in question, will probably be issued in the early part of next year, but no definite date has yet been arranged for the Tralee sitting.

Purchase of the Doonis and Marara Estates, County Westmeath.

MR. HEDGES (Kent, Tunbridge): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the present position of the negotiations for the purchase of the estates belonging to Mr. Thomas Manly, and known as the Doonis and Marara Estates, Ballymahon, county Westmeath, the agreement for the sale of which is dated 2nd May, 1905; and whether he can give any information as to the probable date of completion.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that purchase agreements in respect of the estate in question have been lodged with them. The estate has not yet been inspected, and the Commissioners are unable, at the present stage of the proceedings, to state when the sale may be completed.

Royal Irish Constabulary Force Fund.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the precise condition whereby the grant from the Exchequer of £150,000 was made to the Royal Irish Constabulary Force Fund; what is the total amount that the 7,000 subscribers pay annually to this, and what is the yearly disbursement; and whether, when the present subscribers have disappeared, the remaining balance will be surrendered to the Exchequer.

(*Answered by Mr. Bryce.*) The grant from the Exchequer of £150,000 to the Constabulary Force Fund was made on condition, *inter alia*, that the fund should be strictly appropriated to the discharge of the liabilities already incurred, and that, if the grant should prove more than sufficient to satisfy the solvency of the fund, the surplus should be returned to the Exchequer. The hon. Member will find full particulars of the matter in Parliamentary Paper, No. 118, of 1891. In the year 1905–6 the amount recived from subscribers was £6,957, and the amount of the disbursements was £13,759. The reply to the concluding inquiry is in the affirmative.

Town Tenants (Ireland) Bill

SIR E. CARSON (Dublin University): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Town Tenants (Ireland) Bill is intended to apply to lands held from the Crown on which houses or other buildings have been or may be erected; and, if so, whether it is his intention to move to re-commit the Bill with a view to inserting a clause making the matter clear.

(*Answered by Mr. Bryce.*) The Crown is not named in the Town Tenants Bill, and I am advised that the property of the Crown will not be bound by that Bill if it should become law. Neither the Landlord and Tenant Act, 1870, nor any of the subsequent Acts conferring rights upon the tenants in Ireland, is made to apply to Crown Lands, and I am advised that there is no reason why an exception should be made in the case of the Town Tenants Bill.

Annuity of Sergeant Drummer W. Cocking, late 1st Wiltshire Regiment.

MR. SLOAN: To ask the Secretary of State for War whether his attention has been called to a communication from Mr. George A. Doran, J.P., of Belfast pleading for an annuity and medal on behalf of Sergeant Drummer W. Cocking late 1st Wiltshire Regiment and whether seeing that the reply was a copy of a stereotyped letter exactly the same as was sent to the officer commanding the 1st Battalion Wiltshire Regiment on the 24th May, 1893, he will reconsider the case of this old soldier with a view of making the award he claims being entitled to.

(*Answered by Mr. Secretary Haldane.*) My attention has been drawn to this case. Sergeant Drummer Cocking is not "entitled" to the annuity and medal but he is eligible for it. A certain amount of money is allotted to each regiment, and the claims of candidates can only be considered when a vacancy occurs through the death of an annuitant. The fact of registering a man's name as eligible does not ensure his eventual selection, as there are many applicants and few opportunities of appointment.

Petition to Disallow the Natal Indemnity Act.

MR. SWIFT MACNEILL: To ask the Prime Minister whether he is aware that on the 3rd September last a petition was received by the Clerk of the Privy Council praying the disallowance of an Act of the Natal Parliament called The Indemnity Act, 1906, and a reference of the petition, for hearing proof and report, to the Judicial Committee, pursuant to Section 4 of 3 and 4 William 4, c. 41; that on the 9th October, 1906, a reply was made by the Council that no petition on the subject lies to His Majesty in Council, as it is for the Secretary of State for the Colonies to advise His Majesty with regard to the exercise of his power of disallowance of Acts of a Colonial Legislature assented to by the Governor, while in answer to a supplemental petition of the 12th October 1906, setting forth additional facts and repeating the prayer of the former petition, the Council replied that any representation in the matter should be addressed to the Secretary of State for the Colonies, and whether, seeing that on the 16th October 1906 the Secretary of State for the Colonies in turn received the before-mentioned petitions, he will say if he offered any, and, if so, what advice to His Majesty in the matter; and whether any reply has been made to the petitioners.

(*Answered by Mr. Churchill.*) The Answer to the hon. Member's Question is that His Majesty will not be advised by the Secretary of State to disallow the Natal Indemnity Act, and the petitioners are being informed in the same sense. They have already been informed on the 23rd instant, that Lord Elgin could not advise His Majesty to refer the petition to His Council, as the matter was one on which it is clearly the duty of the Secretary of State for the Colonies to tender advice.

QUESTIONS IN THE HOUSE.

Dover Admiralty Harbour Works.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Secretary to the Admiralty what is the estimated damage to the Admiralty harbour works at Dover resulting from the accident during a recent storm; and if the cost can be recovered by insurance or otherwise.

*THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): No damage has been done to the Admiralty harbour works at Dover by any recent storm, but it is possible that the hon. Member is referring to the injury to the contractor's staging caused by a steamer which ran into it. This is purely a matter for the contractor, and no part of the loss falls upon Naval Votes.

Hours of Labour at Gibraltar Dockyards.

MR. BARNES (Glasgow, Blackfriars): I beg to ask the Secretary to the Admiralty whether, in view of the fact that the eight hours day is in operation in all His Majesty's dockyards and arsenals at Home, it can also be put into operation at His Majesty's dockyard at Gibraltar.

*MR. EDMUND ROBERTSON: The question of the hours of labour in Gibraltar dockyard cannot be considered by itself, as it involves the consideration of the hours worked in other Government establishments and dockyards situated abroad. The Question is therefore by no means a simple one, and before any decision is reached it will be necessary to consult the War Office and Colonial Office.

MR. BARNES: Will the right hon. Gentleman undertake to consult the War Office?

*MR. EDMUND ROBERTSON: That has been done.

The Disturbance at Portsmouth.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Secretary to the Admiralty if his attention has been called to the sentence on a stoker at Portsmouth of five years penal servitude for refusing to go down on his knees; and whether, in view of the severity of this sentence and the character of the alleged offence, any steps will be taken to reverse it.

*MR. EDMUND ROBERTSON: I have nothing to add to my replies to previous Questions asked by the hon. Member for St. Pancras and the hon. Member for Kirkcaldy Burghs, except that the charge against the stoker referred to is not correctly stated in the hon. Member's Question.

MR. WILLIAM REDMOND: Was it not the order which gave rise to the whole trouble?

*MR. EDMUND ROBERTSON: That may be so. It is just one of those points on which I think it is not desirable that I should say anything until the judicial proceedings are concluded. The whole of the cases will be considered by the Admiralty, which has power to suspend, modify, or annul that sentence, or any other.

MR. WILLIAM REDMOND asked whether, in view of the fact that everybody thought the sentence was excessive, the right hon. Gentleman would take special steps to expedite the proceedings.

*Mr. EDMUND ROBERTSON: Yes, Sir, as soon as the judicial proceedings are finished. The right hon. Gentleman added that there were two charges against the stoker of inciting stokers to join in mutinous disturbances.

The Coastguard.

Mr. LONSDALE (Armagh, Mid): I beg to ask the Secretary to the Admiralty whether any orders have already been issued with a view to reducing or abolishing the existing coastguard forces.

*Mr. EDMUND ROBERTSON: I must refer the hon. Member to my reply to a Question asked by the hon. Member for Orkney and Shetland on the 21st November.†

H.M.S. "Philomel."

Mr. LONSDALE: I beg to ask the Secretary to the Admiralty what sum is estimated to be spent upon the refit of H.M.S. "Philomel" during the current year, and what further outlay will be necessary.

*Mr. EDMUND ROBERTSON: The estimated expenditure upon the present refit of H.M.S. "Philomel" during the current financial year is £4,700, and £2,650 will be required to complete in 1907–8.

Defences of London.

Mr. LONSDALE: I beg to ask the Secretary of State for War when it is expected that some of the sites and buildings connected with the defences of London will be sold; and to what purposes will the proceeds of such sales be devoted.

The FINANCIAL SECRETARY to the WAR OFFICE (Mr. Buchanan, Perthshire, E.): I am not yet in a position to say when the properties will be sold.

The Scots Greys.

*Mr. COCHRANE (Ayrshire, N.): I beg to ask the Secretary of State for War when the Scots Greys are to leave Edinburgh.

Mr. BUCHANAN: No date has yet been fixed at which the Scots Greys are to leave Piershill.

*Mr. COCHRANE asked if the hon. Gentleman would be able to give information at an early date in view of the great interest in Scotland; was it intended to make any arrangements after the withdrawal of the Scots Greys for the quartering of a cavalry regiment in Scotland?

Mr. BUCHANAN replied that only last week the Secretary for War indicated that he had by no means implied that it was his intention to permanently remove the headquarters of the Scots Greys.

Mr. PIRIE (Aberdeen, N.) asked if it were correct that the recruiting of the Scots Greys had been entirely stopped except in Edinburgh.

Mr. BUCHANAN: Not that I am aware of.

Barracks for Scotland.

Mr. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Secretary of State for War whether he has considered the propriety of establishing in the South of Scotland barracks suitable for the accommodation of a force of all arms; and, if so, what is the estimated cost of such barracks.

Mr. BUCHANAN: There is no intention of erecting barracks in the South of Scotland on the scale and of the extent indicated by the hon. Member.

Piershill Barracks.

Mr. McCRAE (Edinburgh, E.): I beg to ask the Secretary of State for War whether any inquiry has been made as to the acquisition of ground adjacent to Piershill barracks, so as to provide suitable accommodation for a regiment of cavalry.

Mr. BUCHANAN: There is no ground that can be acquired immediately adjacent to Piershill that would enable the barracks to be extended or rebuilt so as to provide suitable accommodation for a regiment of cavalry.

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† See (4) *Debates* clxv., 813–4.

MR. PIRIE asked upon whose Report the barracks had been declared to be insanitary; would the Report be made public?

MR. BUCHANAN said there had been no Report which had declared the barracks insanitary, but from time to time there had been cases of diphtheria and typhoid fever.

In reply to a further Question by Mr. Cochrane,

MR. BUCHANAN said that in the course of last spring complaints were received of serious illness in the barracks and a Report was called for on that account.

*MR. COCHRANE: Will that Report be published?

MR. BUCHANAN: I cannot say.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary of State for War how many horses and men are now quartered in Piershill Barracks.

MR. BUCHANAN: According to the latest Returns the numbers were as follows:—359 horses and 459 men.

MR. WATT (Glasgow, College): I beg to ask the Secretary of State for War what was the amount of the valuation recently made of Piershill, how many square yards there are within the walls of the barracks, and what is the value per yard of ground in the immediate neighbourhood when sold for building purposes.

MR. BUCHANAN: As regards the first Question, no valuation has recently been made of Piershill. The Answer to the second Question is 53,240 square yards. I have no information as regards the third Question.

Wei-hai-Wei.

MR. CLAUDE HAY: I beg to ask the Secretary of State for War whether any of the money voted by Parliament for the maintenance of the Chinese regiment at Wei-hai-Wei during 1906–7 will not be expended owing to the disbanding of the regiment.

MR. BUCHANAN: Yes, Sir, but it is not possible at present to estimate the amount so unexpended.

Ipswich Barracks Contract.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for War if either the employers or the labourers trades union at Ipswich gave notice to terminate the agreement made under the labourers' wages arbitration award of 1899, fixing the wages rate at 5d. per hour; and whether, if the award has not been denounced by either side, it still remains in force.

MR. BUCHANAN: The hon. Member will understand that this is a Question which does not come within the province of the War Department. This is a Question as to the wages dispute at Ipswich, which does not directly concern the Department.

Woolwich Arsenal.

MR. BARNES: I beg to ask the Secretary of State for War if he has considered the advisability of suspending the whole of the workmen and officials in the Woolwich Arsenal for a day or a week, according to requirements, with a corresponding reduction of wages and salaries. as an alternative to discharges of workmen.

MR. BUCHANAN: No, Sir, such a proposal has not hitherto been under consideration. There are certain departments in which work cannot be suspended.

New Field Gun.

MR. SEDDON (Lancashire, Newton): I beg to ask the Secretary of State for War if the type of new 18-pounder gun at present under construction in the field-gun section of Woolwich Arsenal is being produced on a basis of less than £100 per gun for material and work, and that the price of the gun in question to be passed out to the service is £383.

MR. BUCHANAN: The price of the 18-pounder guns made in the Arsenal this year cannot be stated until after the close of the year. Last year the price was £392, of which £200, not £100, was for material and direct labour.

Defence of the Thames.

SIR GILBERT PARKER (Gravesend): I beg to ask the Secretary of State for War if he will state whether the withdrawal of the Royal Engineers from Gravesend and the dismantling of the forts there are part of a new policy regarding the defences of the Thames.

MR. BUCHANAN: The withdrawal of the Royal Engineers is due, as the hon. Member was informed on the 26th instant, to the abolition of submarine mines.† The scheme for the defence of the Thames approved by the Army Council does not entail the maintenance of the forts.

Bengal Opium Exports.

SIR H. COTTON (Nottingham, E.): I beg to ask the Secretary of State for India whether the number of chests of Bengal opium sold for export during the year 1895–6 was 37,695; whether the average number during the ten years ending 1904–5 was 43,417; whether the number for 1905–6 was 49,200; and whether the Budget Estimate for the current year 1906–7 provides the export of 52,000 chests; and whether, having regard to the Resolution of the House on the subject, and to the present attitude of China in respect to the traffic and use of opium, he will take measures which shall lead to the immediate reduction of this progressive increase in the export of Bengal opium, principally to China.

THE SECRETARY OF STATE FOR INDIA (Mr. MORLEY, Montrose Burghs): Owing to recent good seasons the supply of Bengal opium has been exceptionally large, and with a view to reducing the reserve, the sales have temporarily exceeded the standard of 48,000 chests fixed in 1901. I have given instructions that the area licensed for poppy cultivation should be diminished, and that the sales should be reduced at least to the standard of 1901. In 1895–6 and in preceding and suceeding years the sale standard was 54,000 chests, though the number of chests sold in any year depended on the yield of the crop. As regards the import of foreign opium into China, His Majesty's Government have stated that they will consider sympathetically any proposals which the Chinese Government may wish to make.

MR. LYNCH (Yorkshire, W.R., Ripon): Will the right hon. Gentleman use his influence with the Secretary of State for Foreign Affairs to reduce the opium trade in China?

MR. MORLEY: I do not think I need take very much trouble about that. I am sure he is anxious to find an effective means of dealing with this evil.

MR. LUPTON (Lincolnshire, Sleaford) asked whether, having regard to the Resolution of the House on the subject, means would be taken to bring the cultivation of the poppy in India to an end in a certain number of years.

MR. MORLEY: I stated in debate what the views of the Government are. We cannnot—it is impossible—at once issue wholesale an order to cancel the regulations for a complicated industry.

Fever at Rawal-Pindi.

MAJOR ANSTRUTHER-GRAY: I beg to ask the Secretary of State for India whether he is aware that a large number of men of the 10th Royal Hussars stationed at Rawal-Pindi are suffering from malarial fever; and whether, in view of the fact that many cases of malaria occurred in the regiment which preceded the 10th Hussars in their present barracks, and that nothing hitherto has been done to put these barracks into a proper sanitary state, he will cause inquiry to be made with a view of immediate action being taken.

MR. MORLEY: I will make inquiry from the Government of India. But I understand that fever is not confined to cantonments, but is prevalent in the country around Rawal-Pindi.

MAJOR ANSTRUTHER-GRAY: As men's lives are at stake, will the right hon. Gentleman cable his inquiry?

MR. MORLEY: I have no objection, but I do not see how it will save time.

*SIR JOHN BRUNNER (Cheshire, Northwich): Is there any evidence that the malaria is due to the state of the barracks?

MR. MORLEY: I should like notice of that Question.

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† See (4) *Debates*, clxv., 1231.

Partition of Bengal.

MR. C. J. O'DONNELL (Newington, Walworth): I beg to ask the Secretary of State for India whether, in view of the fact that the Indian National Congress is about to assemble in Calcutta and discuss, amongst other things, the partition of Bengal, he will consent to receive deputations from the nobility and landowners of Bengal, from Indian members, past and present, of the Bengal Legislative Council, from the Calcutta bar, and from the Bengal Chamber of Commerce, in order to place before him their grievances caused by an ill-considered partition of their province, and in order to suggest to him other forms of partition of equal or greater administrative efficiency.

*MR. REES (Montgomery Boroughs): Before the right hon. Gentleman answers this Question, may I ask him whether, should he make or order any such inquiry as is suggested, he will take into account the wishes of the masses, as well as the complaints of the privileged classes, on whose behalf he has been interrogated?

MR. MORLEY: If the bodies referred to in the Question desire to make representations in the sense described, it is entirely open to them, as it has been for a great many months past, to take the ordinary course of addressing the Governor-General, at least in the first instance. I am afraid I cannot undertake to receive what would be rather a demonstration than a deputation in the ordinary sense. Apart from such a course being a departure from invariable and wise precedent, it could lead to no useful object that I can see. As I have often stated, I am perfectly willing to consider new facts, but I may say I believe that both I and the Viceroy are entirely well informed as to the argumentative matters suggested by the hon. Member.

Crown Agents—Government Responsibility.

MR. WALKER (Leicestershire, Melton): I beg to ask the Under-Secretary of State for the Colonies whether the Secretary of State is responsible to this House for his action in exercising a general control and supervision over the conduct of the business of the Crown Agents; and, if so, by what means this House can exercise any control over the Secretary of State in this respect, seeing that he has declined to supplement the information which has so far been presented to Parliament by a detailed and explanatory statement of the accounts of the Crown Agents Office.

THE UNDER-SECRETARY FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The hon. Member is aware that either in connection with the Colonial Office Vote or on such other occasion as the rules of the House may allow he can criticise any and every action of the Secretary of State. As regards the latter part of his Question, and with reference to my Answer to a previous Question of his on the 31st of July,† I can assure him that there is no wish to keep back any information which would serve any useful purpose, but the Secretary of State was, and still is, of opinion that it was at present unnecessary to supplement the information which was given in 1904.

Complaints against Crown Agents.

MR. WALKER: I beg to ask the Under-Secretary of State for the Colonies, seeing that Sir Augustus Hemming, formerly a principal clerk in the Colonial Office, has recently stated, with reference to specific causes of complaint against the Crown Agents, that such cases exist in profusion in the archives of the Colonial Office, whether he will give a Return of the nature of such complaints during the last five years, and of the action that has been taken upon them by the Secretary of State.

MR. CHURCHILL: The Secretary of State does not consider that any adequate reason has been given for, or that any useful purpose would be served by, giving such a Return as the hon. Member suggests, especially in view of the exhaustive inquiry instituted by Mr. Chamberlain in 1901, which was based on an examination of any cases in the three preceding years in which the Colonial Governments considered that their interests had not been sufficiently protected by the Crown Agents.

Crown Agents and Railway Construction.

MR. WALKER: I beg to ask the Under-Secretary of State for the Colonies whether the consulting engineers to the Crown Agents, or their representatives, have any financial interest in railway construction that is carried out upon their recommendation; and, if so, what has been the amount of their remuneration from this source during the last ten years; how it is assessed; and from what fund it has been paid.

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† See (4) *Debates*, clxii., 700.

Mr. CHURCHILL: The firms of consulting engineers employed under the Crown Agents to advise the Crown Colony Governments on railway construction or on other public works have no financial interest in such railways or works beyond the remuneration actually paid for their services.

The Natal Executions.

Mr. SWIFT MACNEILL (Donegal, S.): I beg to ask the Under-Secretary of State for the Colonies how many men have been hanged, how many men have been sentenced to terms of imprisonment and floggings, and what was the number of the lashes inflicted in each case of a sentence of flogging, and how many men have been sentenced to imprisonment without flogging during the martial-law *régime* in Natal, in consequence of the loss of two lives, that of a sub-inspector who shot a native dead and that of a trooper in a riot resulting from the arrest of two natives at Byrnetown, Natal, last February, by a body of armed Colonial police for the resistance of a poll-tax of £1 per head imposed by the Legislature on adult unmarried natives.

Mr. CHURCHILL: I am not in a position to give the total number of those sentenced to imprisonment during the operation of martial-law in Natal. With regard to those sentenced for participation in the murder of the two policemen at Byrnetown I understand that in addition to the twelve men shot, three men were hanged, and five men sentenced to imprisonment with twenty-five lashes.

Mr. SWIFT MACNEILL: I beg to ask the Under-Secretary of State for the Colonies whether in addition to the number of natives shot, flogged, and imprisoned, and imprisoned without flogging, on being found guilty by court-martial of being concerned in the deaths of Inspector Hunt and Trooper Armstrong in February last, three more natives have recently been tried and hanged on a charge of being implicated in that riot; whether one of these natives, who had been badly wounded and was unable to stand without the aid of crutches, was brought, by the order of the Governor, to the scaffold in a dying condition, that his crutches were kicked away, and that he was supported by warders on the scaffold while waiting for the lever to be pulled; and whether, having regard to the sensation produced in Natal by these executions and the circumstances attending them, and the indignation thereby aroused, the Colonial Secretary has any, and, if so, what statement to make in explanation or defence of this transaction, or with reference to the conduct of the Governor in sanctioning it.

Mr. CHURCHILL: It is a fact that three more natives were recently tried, found guilty and hanged for the murder of Inspector Hunt and Trooper Armstrong. The Secretary of State has no information as to the circumstances of the execution. The prisoners were tried by the Supreme Court, not by court-martial, and the Indemnity Act has therefore no bearing on the matter.

Mr. SWIFT MACNEILL asked if it was not the fact that the murder occurred last February and that these men accused of complicity had been kept in prison the whole time.

Mr. CHURCHILL replied in the affirmative, and added that the men were kept awaiting trial until they had recovered from the injuries they had received in the affray.

Mr. SWIFT MACNEILL: Was not this a case in which the prerogative of mercy might well have been exercised? Did the Governor communicate with the Colonial Office on the subject?

Mr. CHURCHILL: I do not think I can make any statement on this subject. Necessarily such representations would be of an entirely confidential nature. The Government knew that the sentences were to be executed, and consequently shared equally with the Governor any responsibility there was.

The Ferriera Raid.

MR. SWIFT MACNEILL: I beg to ask the Under-Secretary of State for the Colonies on what grounds has Lord Elgin declined to make representations to the Cape Government similar to the representations made by the right hon. Member for West Birmingham, when Colonial Secretary, to the Government of the South African Republic, after the Jameson Raid of 1895, urging that clemency should be extended to Ferriera, after participating in the raid on the Cape Colony of which he was a leader; and why has Lord Elgin refused to instruct Lord Selborne, having regard to the fact that Lord Selborne was Under-Secretary for the Colonies at the time of the Jameson Raid and is well acquainted with the precedent thereby set, to use his best offices with Dr. Jameson, C.B., the Prime Minister of Cape Colony, to secure an amnesty to these offenders.

MR. CHURCHILL: I can think of no Answer to the hon. Gentleman's Question except that circumstances alter cases.

MR. SWIFT MACNEILL: We may assume then that the Colonial Office were not in this raid.

British-Indian Immigration (Transvaal) Ordinance.

*MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for the Colonies whether he will lay upon the Table a copy of the British-Indian Immigrants Ordinance (Transvaal).

MR. CHURCHILL: Yes, Sir.

Repatriation of Chinese Coolies.

MR. GODFREY BARING (Isle of Wight): I beg to ask the Under-Secretary of State for the Colonies whether he can state approximately the number of Chinese coolies repatriated from South Africa owing to misconduct since the 1st January last.

MR. CHURCHILL: The number of undesirables repatriated up to the end of October is 629 exclusive of the quarter April to June for which separate figures have not been received.

MR. CLAUDE HAY: I beg to ask the Under-Secretary of State for the Colonies when he will present the Supplementary Estimate for £21,000 which has been devoted by the Government to repatriation of Chinese coolies.

MR. CHURCHILL: I understand that if a Supplementary Estimate be required, it will be presented in the ordinary course at the commencement of next session.

Labour Recruiting in Portuguese East Africa.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies if the negotiations proceeding with Portugal as to recruiting natives in Portuguese East Africa are confined to providing facilities for the Robinson group of mines; and whether the correspondence with Lord Selborne asking for such facilities to be extended to other groups of mines, if granted at all, will be laid at once.

MR. CHURCHILL: The hon. Member will have seen from the full statement made by my noble friend the Secretary of State for the Colonies in another place on Monday last[†] that the negotiations are for the present and pending an inquiry confined to providing facilities for the Robinson group and that he stated that he could not lay Papers at present.

The Denshawi Affray.

MR. DILLON (Mayo, E.): I beg to ask the Secretary of State for Foreign Affairs whether Mohamed Abd-el-Nebi, the husband of the woman Om Mohamed, who was shot by the gun of one of the British officers on the day of the Denshawi affray, is now undergoing a sentence of imprisonment for life; and, if so, whether the British Resident will be directed to make representations in favour of the remission of this sentence and his immediate release.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): Such facts as are in our possession are contained in the Parliamentary Papers, and show that the woman referred to was wounded by the gun which went off in the crowd after the officer had been attacked and his gun taken from him.

[†] See (4) *Debates*, clxv., 1184 *et seq.*

His Majesty's Government see no reason for sending instructions to Lord Cromer on the subject.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether Ahmed Hassan Zahzouk, the ombashi of police, who accompanied the British officers on the day of the affray at Denshawi, and who in his evidence at the trial contradicted the evidence of the officers in some important particulars, has since then been tried by a disciplinary court and sentenced to imprisonment and flogging; and, if so, what portion of his sentence he has undergone; and whether the Government will consider the desirability of remitting the remaining portion of his sentence.

SIR EDWARD GREY: I have no information on this subject, but will make inquiries.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether in view of the facts that the information promised on the 5th July last, has now been made available for Members, and that the condition of Egypt no longer gives cause for anxiety, he will give an early opportunity of discussing the Denshawi affray and the trial and consequences which followed it.

SIR EDWARD GREY: His Majesty's Government have nothing to add to the statements, which have already been made on this subject, and it is not possible for them to give special time for another discussion.

MR. DILLON: Does the right hon. Gentleman remember that he asked the House to abstain from discussing this matter until this information was obtained? Did not that lead the House to believe that an opportunity would be given for discussion?

SIR EDWARD GREY: I remember I made that appeal before any statement at all was made and before we had official information. The hon. Member did not respond to that appeal himself, but other hon. Members did. After Papers had been laid I did not deprecate discussion, and a discussion actually took place. There is nothing which has taken place subsequently which would justify the Government in allotting special time for discussion.

Bucharest General Exhibition—English Workmen's Claims.

MR. NIELD (Middlesex, Ealing): I beg to ask the Secretary of State for Foreign Affairs if he will direct the British Minister at Bucharest to take prompt steps to present for payment by the Roumanian Government the claims of the English workmen engaged upon the erection for that Government of certain portions of the buildings constituting the general exhibition held at Bucharest last summer, for wages and share of profits under their contract, as well as for compensation for breach of contract, and for compensation for wrongful arrest and imprisonment for various terms, without trial or conviction for any offence.

SIR EDWARD GREY: His Majesty's Minister at Bucharest is giving full attention to the matter, and is taking all the steps which he can in support of the claims of the British workmen.

MR. NIELD: I beg to ask the Secretary of State for Foreign Affairs if he has received any communication from Sir Cunningham Greene, British Minister at the Roumanian Court at Bucharest, with reference to the ill-treatment and persecution of Messrs. Morgan and Singer, and the other Englishmen associated with them, and engaged upon the construction and working of certain portions of the Bucharest General Exhibition in July and September last, and also of their subsequent imprisonment for terms varying from thirty hours to six weeks without any formal trial or conviction for any offence; and whether he will lay upon the Table of the House any Papers he may have relating to the matter.

SIR EDWARD GREY: Full reports of the circumstances have been received from His Majesty's Minister at Bucharest, but it would not be desirable at the present stage to lay any Papers on the subject. The men have meanwhile been sent home.

Treaty of Paris—Norway and Sweden.

MR. ASHLEY: I beg to ask the Secretary of State for Foreign Affairs whether owing to the separation of Norway from Sweden, the provisions of the Treaty of Paris of 1855 have ceased to apply to the former kingdom.

SIR EDWARD GREY: The Treaty has not been abrogated, but it was framed under conditions which have now entirely changed, and His Majesty's Government are considering, in connection with the two countries concerned and other Powers, what steps should be taken for substituting a new Treaty for that of 1855.

Karadjovo Massacre.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether he has received a note from the Bulgarian Government in reference to the recent massacre of Bulgarian peasants in the village of Karadjovo; whether the Government have any Report on the particulars of this massacre from British agents in Macedonia; whether the massacre was carried out by Greeks and Turks; whether the British Government has addressed any remonstrances to the Greek and Turkish Governments; and when further Papers on Macedonia will be circulated.

SIR EDWARD GREY: The Answer to the first Question is in the negative; the Answer to the second is in the affirmative; the massacre was, it is believed, carried out by Greeks and a certain number of Mussulmans in their pay, the leader had come from Greece a few weeks before, having evaded the Greek authorities; His Majesty's Government have recently made strong representations to the Greek Government in regard to the conduct of the Greek bands in Macedonia; they have also made representations on the same subject to the Ottoman Government; further Papers on Macedonia will be laid when the negotiations now in progress have been completed.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government have received any information from the British Consuls as to the massacre of Bulgarian peasants at Karadjovo on the 7th November; and whether they will support the Bulgarian Government in the representations which it is in consequence making to the Powers.

SIR EDWARD GREY: His Majesty's Government have received a preliminary Report on the subject from his Majesty's Chargé d'Affaires at Constantinople; no communication has yet been received from the Bulgarian Government.

Congo State Reports.

MR. BENNETT (Oxfordshire, Woodstock): I beg to ask the Secretary of State for Foreign Affairs whether within the last few months His Majesty's Government has received Reports upon the condition of affairs in the Congo State from the British consular staff on the Congo: and, if so, whether His Majesty's Government will lay these Reports upon the Table of the House.

SIR EDWARD GREY: Reports have been received from His Majesty's consular officers in the Congo within the last few months. But I do not propose to present a second set of Papers to Parliament this year, and there is nothing in the Reports referred to which is of such special interest as to require separate publication,

Egyptian Reforms.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether Lord Cromer has recently presented a Report to the Foreign Office on proposed reforms in Egypt; whether this Report contains any recommendations as to reforming the criminal law as between natives and members of the army of occupation; and whether it is proposed to lay any Papers on the subject of reforms in the government of Egypt.

SIR EDWARD GREY: I have nothing to add to the reply returned to the hon. Member for Brentford on the 15th instant.† Any reforms in the government of Egypt will doubtless be dealt with by Lord Cromer in his Annual Report, which will be laid before Parliament next year; it is not proposed to lay Papers before the usual date.

Macedonian Budget.

* MR. REES (Montgomery Boroughs): I beg to ask the Secretary of State for

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† See (4) *Debates*, clxv., 100.

Foreign Affairs whether he will obtain and lay upon the Table of the House financial statements showing the revenue and expenditure under the different headings for the Macedonian provinces since March, 1905; and also the amount of deficit on the Budget during periods convenient for comparison, and the sources from which it has been supplied since March, 1905.

SIR EDWARD GREY: His Majesty's Government are not aware whether detailed statistics are available in regard to the points in question before the International Financial Commission entered upon its function in January, 1906. In regard to the second Question, I must refer the hon. Member to the Answer I gave him on the 26th instant.† The information requested in the third Question will, as far as possible, be furnished.

MR. LYNCH (Yorkshire, W.R., Ripon): I beg to ask the Secretary of State for Foreign Affairs whether Article XII. of the agreement between the Porte and the Imperial Ottoman Bank, providing that any deficit on the Macedonian Budget shall be made good by drafts on the existing yield of the Customs, is confirmed by the Règlement for Macedonia; and whether it is still in force.

SIR EDWARD GREY: The Answer to both Questions is in the affirmative.

Civil Agents in Macedonia.

MR. GOOCH (Bath): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government have recently received any account of the work accomplished by the civil agents in Macedonia; and, if not, whether they will invite the Austrian and Russian Governments to furnish information.

SIR EDWARD GREY: His Majesty's Government have not received recently any special report on the work of the civil agents. An account of their proceedings will doubtless be furnished in due course.

Output of Native Opium in China.

MR. LYNCH: I beg to ask the Secretary of State for Foreign Affairs whether, in view of the importance of the question, he will consider the possibility of overcoming the difficulties in the way of obtaining even approximately accurate statistics as to the output of native opium in China.

SIR EDWARD GREY: I fear I can add nothing to my reply to the hon. Member's Question of the 27th instant on this subject. Of course, any further information that can be obtained will be obtained, but I cannot promise to get more than exists.

Congo Free State Concessions.

MR. ALDEN: I beg to ask the Secretary of State for Foreign Affairs whether he is aware of the decrees published in the Bulletin Officiel of the Congo Free State by which four new companies were created, the shareholders and promoters being foreigners; and whether, in view of the interests possessed by this and other countries in the Congo Free State, he proposes to take any and, if any, what action in connection with these concessions of territory.

SIR EDWARD GREY: The question whether concessions of the kind referred to are consistent with the free trade provisions of treaty obligations is no doubt an important one, but it is not proposed to make these particular concessions the subject of a special representation at this moment.

Tangier—The Attack on Mr. Harris.

MR. ASHLEY: I beg to ask the Secretary of State for Foreign Affairs whether he has any information with reference to the attack on Mr Harris's house by numerous armed natives, whether French and Spanish warships in the bay offered any assistance, and whether the Government propose, by the despatch of a warship, to extend to British subjects the protection now afforded to those of France and Spain.

SIR EDWARD GREY: According to a report received from His Majesty's Chargé d'Affaires at Tangier, a fight occurred between the Moorish Guards at Mr. Harris's house and a number of men of the Anjera tribe. It is not clear whether the tribesmen were the first to attack the house, or whether they were fired on from the house by the guards as they were passing it, engaged on a cattle raid.

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† See (4) *Debates*, clxv., 610.

Eventually the guards were reinforced and the tribesmen beaten off. It does not appear to have been necessary for any foreign troops to have been landed in connection with this incident. I understand that France and Spain are prepared to take, in an emergency, whatever provisional measures may be required till the regular police contemplated by the Algeciras Act are constituted. It is not necessary or desirable for us to do anything more, and it is not intended to send a British warship.

MR. ASHLEY: Would it not be more satisfactory that British subjects should be protected by British ships?

[No Answer was returned.]

Old Age Pensions.

MR. LONSDALE: I beg to ask Mr. Chancellor of the Exchequer whether, in view of his declaration that the subject of old age pensions is one of the most extreme urgency, he will make such representations to the Prime Minister and the Cabinet as will ensure precedence being given to the subject in the legislative programme of the Government over the question of Irish Home Rule or Devolution.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E.): I see no reason for making any such representation either to the Prime Minister or to the Cabinet.

Railway Commissioners.

MR. T. L. CORBETT (Down, N.): I beg to ask Mr. Chancellor of the Exchequer how many Commissioners of Railways there are; what are their duties; how many days in the year these duties engage their attention; what is the salary attached to the office; and whether there is any pension when a Commissioner retires.

MR. ASQUITH: The Railway Commissioners are appointed under the Railway and Canal Traffic Act, 1888, and they have duties under the Workmen's Cheap Trains Act, the Telegraphs Act, and the Water (Metropolis) Act. They sit on about thirty-two days in the year, apart from other duties, of which there is no record. The salary of each of the Commissioners is £3,000 a year, without pension attached.

MR. KEIR HARDIE (Merthyr Tydvil) asked whether any of the five Commissioners were business men, or were they all lawyers.

MR. ASQUITH: I do not think the two terms are mutually exclusive.

MR. KEIR HARDIE: Can the right hon. Gentleman say whether any of the five Commissioners are engaged in trade or commerce?

MR. ASQUITH: I understand that the Commissioner recently appointed is a gentleman of very large commercial experience in a great many directions.

Inspection of Prison Dietaries.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether, in accordance with the recommendation of the Departmental Committee on Prison Dietaries in 1898, a well-qualified and competent inspector of the food supplies of prisons has been appointed; and, if not, will he say why this recommendation has not been carried out.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): As a result of the Report of the Dietaries Committee, stringent regulations were made for the inspection of the prisoners' food by the medical officer and the Visiting Committee of each prison, and in view of these regulations, and of the duty laid on the governor to ensure that the supplies received are of good quality, it was thought that the employment to secure the same object of a travelling inspector, who could visit each prison only at long intervals, would be not only unnecessary, but also harmful, as tending to lessen the responsibility of the officials on the spot. In this view I entirely concur.

The German Gipsies and the Police.

MR. CLAUDE HAY: I beg to ask the Secretary of State for the Home Department whether he will state the number of the police in each of the counties through which the bands of German gipsies have passed, who have been occupied in protecting those counties against the dangers to which the German gipsies exposed those counties.

MR. GLADSTONE: I have not the information necessary for the purpose of answering this Question, and I do not think that any useful purpose would be served by attempting to collect it.

Southport Chief Constable.

MR. C. J. O'DONNELL: I beg to ask the Secretary of State to the Home Department if his sanction was necessary to the recent appointment of a military officer, entirely without police experience, to be chief constable of Southport; and, if not, whether he will take any action to secure experienced supervision of the police administration of large towns, and to reserve such appointments as that of chief constable for senior officers of police as the legitimate rewards of long and good service.

MR. GLADSTONE: The appointment mentioned did not require my sanction. The appointments to a borough police force are made by the Watch Committee, and I have no authority to interfere with their discretion.

Alderney Abattoirs.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary of State for the Home Department if he will consent to the erection of a wharf at Alderney for the slaughter of foreign cattle on the same conditions as cattle are allowed to be landed and slaughtered in this country, and provided the inhabitants of Alderney are practically unanimous on the question; and, if not, if he will appoint a small Committee to inquire into the feasibility and desirability, and report for his guidance.

MR. GLADSTONE: As at present advised, I do not think that the erection of a wharf at Alderney for the landing and slaughter of foreign cattle would be desirable, and I do not propose to appoint a Committee to inquire into the matter.

Hull Level Crossing Signalmen.

MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade if his attention has been called to the long hours worked by the gate signalmen at the St. George's Road and Hawthorne Avenue Level Crossings, Hull, on the North Eastern Railway; if he is aware that these men commence duty at 9.45 a.m. on Sundays, and remain on duty until 6 a.m. on Mondays, a period of twenty hours and fifteen minutes, and then do five turns of twelve-hour shifts and one of thirteen hours on night duty, making a total of ninety-three hours and fifteen minutes for the week on the main passenger line; and what action he proposes to take in the matter.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I have communicated with the railway company on the subject of the hon. Member's Question, and am informed that the authorised daily hours of work of the men in question, who are stated to be gatemen and not signalmen, are twelve, with a day off duty once a fortnight. The company state, however, that they found on inquiry that the men, for their own convenience and without the knowledge and consent of the responsible officials, had introduced the system of working to which attention is drawn, and instructions have now been given that the authorised arrangements must be strictly observed in future.

In reply to a further Question by Mr. HUDSON,

MR. LLOYD-GEORGE said he understood the arrangement was made by the men without the knowledge of the company, who gave instructions it should not be adhered to directly it was brought to their notice.

Foreign-made Motor Buses in London.

MR. FELL (Great Yarmouth): I beg to ask the President of the Board of Trade if he is aware of the fact that the bulk of the motor omnibuses in use in London have been made in Germany, and that contracts have recently been placed in that country for the construction of about £350,000 worth of these vehicles to be used in London; and whether he can in any way assist in transferring this industry to this country in such a way as to find employment for the mechanics discharged from the Woolwich Arsenal.

MR. LLOYD-GEORGE: I am aware that many of the chassis of motor omnibuses in use in London are of foreign production. I understand that foreign makers have had longer experience than British manufacturers in this branch of industry. This advantage, however, as in the case of motors generally, is now diminishing and there is reason to hope that in the future a larger share of the orders will fall to British manufacturers. I see no reason why suitable mechanics discharged from Woolwich Arsenal should not have an equal chance with others of sharing in any employment thus afforded.

MR. FELL: Was not a contract recently granted?

MR. LLOYD-GEORGE: The Board of Trade have no official information.

MR. BYLES (Salford, N.): Are not these imported omnibuses paid for by British labour employed in some other industry?

[No Answer was returned.]

Swansea Education Dispute.

LORD R. CECIL (Marylebone, E.): I beg to ask the President of the Board of Education whether four of the head teachers of Swansea Church schools are receiving £75 less than they would have received if the arrangements made by the managers upon the teachers' appointment had been adhered to; whether, in the case of two teachers engaged before the appointed day, under the Act of 1902, under signed agreements, entitling them to a rise in salary on the 1st March, 1905, the local education authority refused to allow the increases until the Board of Education directed them to do so; whether, in the case of another teacher in a Church school, a salary at the usual scale was only secured after negotiations lasting from January, 1905, to May, 1906, by the intervention of the Board of Education; and whether, in view of these facts, seeing that the pending dispute about the salaries of teachers turns mainly on the wish of the local education authority to pay teachers in voluntary schools less than the teachers in the council schools, he will say if he proposes to take any action in the matter beyond consulting the Law Officers.

THE PRESIDENT OF THE BOABD OF EDUCATION (Mr. BIRRELL, Bristol, N.): Figures supplied to the Board by the managers show that the salaries paid to the four head teachers referred to in the first paragraph of the Question were £75 less than those proposed by the managers. In the case of the two teachers referred to in the second paragraph, the Board forwarded to the local authority without comment a copy of a letter from the managers on the subject. I understand that the representations of the managers were acceded to by the local authority. The facts stated in the third paragraph are correct. I cannot say what further action (if any) will be taken by the Board until I have received the opinion of the Law Officers.

LORD R. CECIL: Did the local authority at first refuse to fulfil its duty?

MR. BIRRELL: I think that is so.

LORD BALCARRES (Lancashire, Chorley): I beg to ask the President of the Board of Education upon what date the Swansea Local Education Authority undertook to carry out the directions of the Board of Education.

MR. BIRRELL: I am not aware that there are at the present time any directions of the Board of Education which the Swansea Local Education Authority have on any date undertaken to carry out or, on the other hand, are failing to carry out.

LORD BALCARRES: Were any directions given by the Board?

MR. BIRRELL: I do not quite understand the object or purport of the Question. I can find no particular letter in which any direction was given to the local authority which they either did or did not carry out.

Waenfawr (Carnarvon) Postman's Pay.

MR. ELLIS DAVIES (Carnarvonshire, Eifion): I beg to ask the Postmaster-General whether he is aware that John Morgan Jones, an auxiliary postman at Waenfawr, in the county of Carnarvon, is employed for four hours in the morning and one hour in the afternoon at a wage of only 11s. a week, while another auxiliary postman is paid at a higher rate at the same office for similar work, because the Department failed to obtain his services for less; and whether, in view of the fact that Jones cannot, on account of the arrangement of the hours of service, engage in another occupation, he can increase his pay and so make it a living wage.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON (Tower Hamlets, Poplar): I have called for a Report on this subject, and will communicate the result to the hon. Member in due course.

Wolverhampton Telegram Delays.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Postmaster-General whether he is aware that on Saturday last a telegram dispatched from Stourbridge at 4.5. p.m. was timed as having reached Wolverhampton post office at 7.46 p.m.; and, as this is the second case of the kind within fourteen days, will he give Wolverhampton the same attention as other important business centres.

MR. SYDNEY BUXTON: The hon. Member refers, no doubt, to a football telegram addressed to the *Wolverhampton Express and Star*, last Saturday, and a football telegram addressed to the same paper from Manchester on the 10th instant. The first of these two telegrams appears to have reached Wolverhampton in due course. One page of it was apparently delayed in delivery, but I cannot say how the delay occurred without local inquiry. The other telegram was delayed at Manchester, not at Wolverhampton. I regret that these cases of delay should have occurred, but there is no reason to suppose that Wolverhampton has less attention than other business or football centres.

Russian Eggs and Irish Trade Marks.

MR. JOYCE (Limerick): I beg to ask the President of the Board of Trade if his attention has been called to the recent prosecution at Manchester of Messrs. Lonsdale and Thompson, Limited, provision dealers, for exposing for sale and marking several cases of eggs branded Pat Murphy, Castle Murphy, with a figure of a man dancing between two lines; whether he is aware that it was proved that there was no one in the egg business trading as Pat Murphy and no such place as Castle Murphy in Ireland, and that the eggs referred to were Russian produce; and whether, in view of the injury likely to result to the Irish trade by the selling of foreign produce under fictitious names, he intends to take any steps to prevent the recurrence of such action.

MR. JOSEPH A. PEASE (Essex, Saffron Walden; for Sir EDWARD STRACHEY): Perhaps I may be allowed to answer this Question on behalf of the Board of Agriculture. The attention of the Board has been called to this case, the facts of which are correctly stated in the Question. The Board will be ready to co-operate with the Irish Department in preventing breaches of the Merchandise Marks Acts, which might prove injurious to traders in Irish agricultural produce.

MR. JOYCE: Has the firm of J. J. Lonsdale & Co., of which the hon. Member for Mid. Armagh is a distinguished member, anything to do with the convicted firm?

MR. LONSDALE (Armagh, Mid.): I know nothing of them.

MR. JOSEPH A. PEASE: The Board of Agriculture has no knowledge as to who are or are not directors of the firm, but if the hon. Member wishes information as to who are the directors of the firm, he can obtain the information at Somerset House.

Council of Agricultural Research.

MR. J. F. MASON (Windsor): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, if it is proposed to carry out the scheme outlined by the Board in the memorandum as to the proposed council of agricultural research issued early in the year.

MR. JOSEPH A. PEASE: Negotiations are proceeding with regard to the suggestions made in the memorandum to which the hon. Member refers, but it is not possible as yet to say whether they can be brought to a successful issue.

Glenglassaugh Distillery.

MR. MEEHAN (Queen's County, Leix): I beg to ask the Secretary to the Treasury whether he is aware that the Inland Revenue officer in charge at Glenglassaugh Distillery on 28th October, 1905, when striking the final balance in the spent stock book, found an increase, and in accordance with Sub-section 9 of Section 43 of 43 and 44 Vic., c. 24, and the Board's Distillery Instructions founded thereon, charged duty on excess and received payment from the trader, which he forwarded to the supervisor at Portsoy; that the supervisor refunded the duty to the trader, censured the officer, and directed him to alter the accounts; that the officer claimed to have acted in accordance with the law and the Board's instructions, and refused to alter the books without written directions, which the supervisor refused to give; and whether, seeing that this officer was ordered to remove under displeasure to another station, and was refused a fair trial or inquiry and was suspended in March last, this officer will be restored or an inquiry be held.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. MCKENNA, Monmouthshire, S.): I am informed that the facts are in substantial accordance with the hon. Member's statements except that the exaction of immediate payment from the trader was in accordance neither with the law nor with the Board's instructions. I have carefully considered the case, and I am satisfied that it is simply one of disobedience of orders which calls for no further inquiry.

MR. MEEHAN: I beg to ask the Secretary to the Treasury whether the Collector of Inland Revenue, Aberdeen, withheld proper and definite instructions or orders in the excess matter; and whether Mr. Haslam had asked him for advice and guidance in the case.

MR. MCKENNA: Mr. Haslam asked his collector for advice on 30th October and received it by telegram on 31st, and further by letter of the same date.

MR. MEEHAN: I beg to ask the Secretary to the Treasury whether the Collector of Inland Revenue, Aberdeen, did not, until the 2nd November 1905, give definite orders concerning the cancelling of the Excess Duty; whether the collector accompanied these orders with a document giving the substance of the supervisor's Report, dated 1st November 1905, against Mr. Haslam for alleged insubordination; whether the collector withheld the orders for cancelling the Excess Duty until after the accounts had been delayed on the 1st November and so made Mr. Haslam liable to a charge of alleged insubordination; whether the collector had the Board of Inland Revenue's authority for his ordering, in his letter of 2nd November, Mr. Haslam to cancel the Excess Duty; and, if he had this authority, why was it not quoted, as is usual, on his letter.

MR. MCKENNA: The collector's instructions were given as soon as he was in full possession of the facts. His order, to which reference is made in the last part of the Question, was given in pursuance of the Board of Inland Revenue's printed and standing Regulations and required no special authority from the Board. The Answer to the second Question is in the negative. I may add that in this and the succeeding Question the hon. Member refers to the cancelling of the Excess Duty. The charge of Excess Duty was not questioned but merely the date of its exaction.

MR. MEEHAN: I beg to ask the Secretary to the Treasury whether the Supervisor of Inland Revenue, Portsoy, neglected to give orders in writing to Mr. Haslam to cancel the duty on the excess or increase which was charged with duty at Glenglassaugh Distillery on the 28th October 1905 in the spirit store stocktaking, seeing that Mr. Haslam had asked him for written orders, which request he acknowledged to have received.

MR. MCKENNA: Mr. Haslam received verbal instructions from his supervisor which were confirmed in writing by his collector.

Retirement Gratuities in the Civil Service.

SIR G. KEKEWICH (Exeter): I beg to ask the Secretary to the Treasury whether he is aware that the class of aged writers who are to be discharged in February can be differentiated by the facts that they would have been promoted to the pensionable class of abstractors had they not been debarred by age, and that they average seventy-four years of age and thirty-four of service; and whether, seeing that there are not any other old servants of the State in the same position, he will consider whether the gratuities of these writers can be increased.

Mr. McKENNA: The case of these copyists does not appear to be distinguishable from that of the other copyists who have already retired with gratuities on the approved scale. Nor is it really distinguishable from that of great numbers of persons in the employ of the State who are on a temporary footing and not entitled to pension but only to gratuity under the Superannuation Act of 1887. My hon. friend regrets that he is therefore unable to accede to their request for an increased gratuity.

Lax Weir Fishery Board.

Mr. JOYCE: I beg to ask Mr. Attorney-General for Ireland whether his attention has been called to the fact that the owners of the Lax Weir fishery in Ireland, valued at £400, recorded 135 proxy votes at the recent election on the licences taken out by the company for the fishing on that particular fishery, the property of such owners as a company or otherwise; and whether, under Section 9 of 11 and 12 Victoria, cap. 92, or any other section of the Irish Fishery Laws, he proposes to take any action in the matter.

The ATTORNEY-GENERAL for IRELAND (Mr. Cherry, Liverpool, Exchange): I have made inquiries, but have found it impossible to obtain definite information as to the number of proxy votes given at the recent election to which the Question refers. If there were any irregularity in the election, any person aggrieved would have, of course, the ordinary legal remedy, but I have no power under the section referred to, or any other section that I am aware of, to interfere in the matter.

Mr. JOYCE: Will the right hon. Gentleman recommend the Irish Government to make full and impartial inquiry into this matter?

Mr. CHERRY: That Question should be addressed to the Chief Secretary.

Quilty Fishery Station.

Mr. HALPIN (Clare, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that when Cornelius O'Brien and two other fishermen, of Quilty, West Clare, were nearing the shore at Seafield, on the 17th October, their canoe struck upon the Wild Rock at the entrance to the pier at Seafield and capsized, O'Brien being drowned, the other two men being rescued; that another fisherman was drowned at the same place last year, and that Mrs. O'Dowd, of Quilty, in trying to get from the pier to Mutton Island a few months ago, was also lost in the same place; and whether, with a view to preventing other deaths from drowning at that place, he will send an inspector to Seafield to examine the inlet to the pier and the Wild Rock, with a view to the lowering of the inlet and removal of the rock at its entrance, thereby giving a free passage to canoes and sailing vessels to the pier.

The hon. Member had also given notice of the following Question:—

To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the 165 fishermen at Quilty, West Clare, with their fifty-five canoes, have not earned £25 this year on account of the rough weather, being unable to go to sea, as the passage is unsafe with the Wild Rock at the entrance of the passage when the tide is in, and not being able to go out from the pier at low water when the tide is out on account of no tide being in the passage; whether, seeing that in seasons when the fishermen can go fishing, they were able to catch up to £3,000 worth of fish, and in view of the fact that, on account of not being able to fish, they are in a state of starvation at present, he will send an inspector to examine the passage and rock with a view to give a grant to sink the passage to the pier about 3 feet and remove the rock, the passage being about 150 yards in length by about 25 yards wide; and whether he has received a memorial signed by the clergy, magistrates, medical officers, and ratepayers of this district in favour of this proposal, and what action he proposes to take accordingly.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): I am informed that it is the fact that Cornelius O'Brien was drowned on 17th October, his canoe having been upset by a wave near the rock mentioned; and that other cases of drowning had previously occurred in the same locality. It is, I understand, the case that there are 165 fishermen and fifty-five canoes at Quilty. I have no information as to the earnings of the fishermen this year; but I believe they have been small, owing mainly to the absence of fish. Fishing is stated to have greatly improved since the middle of the present month. I have received the memorial referred to. I am advised that the expense of deepening the channel and removing part of the rock opposite the entrance would amount to about £3,000, and that this work would be of little use unless a breakwater were erected at a considerable further cost. The entrance to the harbour must always be dangerous in bad weather. The Department of Agriculture, however, will gladly consider whether anything can be done to lessen the danger of landing, if the county council are prepared to co-operate with them in the matter. Both the Department and the Board of Works have already examined the spot and reported to me upon it. I may add that in 1890 the sum of £5,184 was spent in the works then executed by the Board of Works, consisting of the pier at Seafield and the channel through the rocks leading to it. Of this sum £875 consisted of a loan recoverable from the county council.

MR. WILLIAM REDMOND (Clare, E.): Is it the fact that there is still £130,000 standing to the credit of the Department of Agriculture and Fisheries in Ireland? Could not some portion of this money be expended on this necessary work of providing safe accommodation for fishermen who have to face the winter with no resources except those of their calling, which is rendered impossible by the state of the harbour?

MR. BRYCE: I should like notice of that Question.

Ennis Inebriates.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether inmates of the Ennis State Inebriates' Reformatory, on becoming insane, are committed to the Ennis District Lunatic Asylum; and, if so, whether it can be arranged to have them committed to the asylum of the district they came from, and so prevent an unfair burden being placed on the ratepayers of Clare by having the insane from other counties placed in the Ennis Asylum.

MR. BRYCE: Under the provisions of the Criminal Lunatics (Ireland) Act, 1837, inmates of the Ennis State Inebriate Reformatory on becoming insane are committed to the Ennis District Lunatic Asylum. There is no power under the existing law to have them committed to the asylum of the district from which they came. Under the Lunacy (Ireland) Act, 1901, the entire cost of the maintenance of such persons is defrayed out of Imperial Funds up to the date of the expiration of their sentences, and hence they do not become a burden on the ratepayers of Clare until after the sentence has expired. I am informed that since the establishment of the Inebriate Reformatory in 1899, only two cases of transfer to the Ennis Asylum have occurred, and one of the persons has since died.

MR. WILLIAM REDMOND: Will the right hon. Gentleman consider the advisability of bringing in a Bill to obviate this injustice to the ratepayers?

MR. BRYCE: I will consider it. I can make no promise.

MR. WILLIAM REDMOND: I will bring one in myself.

Sir M. R. O'Connell's Ballycarberry Estates.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received a memorial from the tenants on the estate of Sir M. R. O'Connell, at Ballycarberry, near Cahirciveen; and whether they are prepared to negotiate with the landlord for the purchase of that property, with a view to reselling it to the tenants.

MR. BRYCE: The Estates Commissioners inform me that the memorial referred to has been received by them and they have communicated with the owner on the subject. The agents of the owner, however, have informed the Commissioners that no copy of the memorial has been received either by them or the owner, and a copy has therefore been sent to them. The matter is still the subject of correspondence.

Clonan Evicted Tenant.

MR. DELANY (Queen's County, Ossory): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether a claim for re-instatement has been lodged with the Estates Commissioners by Bernard Dunphy, who was evicted in 1882 from a holding on the estate of Henry Cornelius, Rosna, Clonan, Coolrain, Mountrath, Queen's County; whether he is aware that the farm remained on the landlord's hands and was let by the eleven months for grazing purposes until recently, and is now taken possession of by a daughter of the landlord, who has applied to the Board of Works for a loan to build a dwelling-house; and, seeing that the evicted tenant is still living and has four sons and one daughter depending upon him, can he say what action the Estates Commissioners are going to take in this case, or whether the Board of Works is prepared to advance the loan.

MR. BRYCE: The Estates Commissioners inform me that an application for re-instatement has been received from Bernard Dunphy. They have inquired into the matter and have learnt that the owners, having no other place to live in, now reside on the farm from which Dunphy was evicted, and will not consent to reinstate the evicted tenant. Dunphy's name, however, has been placed on the Commissioners' register of applicants as being a suitable person to work land, and his case will receive consideration in the event of the Commissioners acquiring untenanted land in the district. I am informed by the Board of Works that an application was made to them by Anna W. Cornelius and others for a loan of £200 for the erection of a dwelling upon the farm in question. The applicants have now deferred the matter till next spring, and the Board, therefore, have not yet considered whether the case is a suitable one for a loan.

Ballymacooda Estate, Clare.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Ballymacooda estate, at Kilmaley, county Clare, has been purchased by the Estates Commissioners; and, if so, on what terms.

MR. BRYCE: The Estates Commissioners inform me that they have had the estate in question inspected with a view to purchase under Section 7 of the Act of 1903, and they expect to be in a position to make an offer for purchase to the Land Judge in the course of a few days.

Kinvara Harbour.

MR. DUFFY (Galway, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he received a Resolution from the County Council of Galway respecting the extension of the works to be carried out in Kinvara Harbour; whether he is aware that an understanding has been arrived at between the county council and the Board of Works, which makes it possible for the works to be commenced at once; whether he will communicate with the Department of Agriculture and the Congested Districts Board with a view of having the grants promised by them placed immediately at the disposal of the county council; and whether, in view of the urgency of the works and the need of finding employment for the poor, he will take immediate steps to give effect to the Resolution of the county council.

MR. BRYCE: The Irish Government have received the Resolution in question, and have obtained a report on the subject from the Board of Works. The Resolution appears to be based on an erroneous assumption that the works to which it refers are to be executed under the Marine Works Act. The works under that Act have been completed at a smaller cost than was originally estimated, and the arrangement between the county council and the Board of Works has reference to the apportionment of the cost of those works. A project for certain other works has been undertaken by the county council with the assistance of contributions from the Department of Agriculture and the Congested Districts Board, and it appears to be the desire of the county council that the saving on the works already completed under the Marine Works Act should be applied to the new works which are not to be executed under that Act. This, however, cannot legally be done, as I informed the hon. Member on 28th June last † The main difficulty which has arisen in regard to the additional works relates to the fact that under the existing law the county council have no power to provide their share of the funds. As I stated earlier in the session, the Government are prepared to propose legislation which would remove the difficulty, but in the present state of public business I cannot name a date for the introduction of the Bill.

MR. WILLIAM REDMOND: Will the right hon. Gentleman introduce a Bill to authorise this work? Nobody in the world would think of opposing it.

MR. BRYCE: I am considering the desirability of that, but my experience in the past is not very encouraging.

Courtown Fishing Industry.

SIR THOMAS ESMONDE (Wexford, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that recently, when the fishermen of Courtown were out at night fishing, a sudden gale arose and they had to run for the harbour, which is now, and has been for a long time, blocked with sand; that seven of the fishing boats grounded on the bar, and that their crews, thirty-four men in all, had to get overboard, at the risk of their lives, and lift their boats over the bar into deep water; and whether the Government propose to take any notice of the repeated representations which have been made to them regarding the condition of these fishermen.

MR. BRYCE: I understand that the facts are substantially as stated in the Question. I am informed, however, that in the case of one boat only did the crew get overboard and lift the boat over the bar; the remaining six boats were pulled over the bar from the pier with ropes. Courtown harbour is vested in the Wexford County Council, whose duty it is to maintain it; but, as I informed the hon. Baronet on the 8th instant,‡ the Department of Agriculture, having learnt that the entrance to the harbour had become choked with sand, were then about to assist the county council in the matter by erecting a steam crane and grab to remove the accumulation of sand, as they had done on a previous occasion. This work is now in progress.

North Donegal Fishing Industry.

MR. O'DOHERTY (Donegal, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what steps, if any, are being taken to improve the fishing accommodation along the coast of North Donegal; and whether he is aware that a disaster recently occurred at Glengad, Malin, resulting in the loss of four lives, and due to the want of necessary accommodation for landing suitable boats.

MR. BRYCE: It is unfortunately the fact that four lives were lost owing to the capsizing of a fishing boat off the coast of Glengad, Malin, on the 7th instant. As regards the provision of harbour accommodation on that coast, I would refer the hon. Member to my Answer to his Question of 30th May last.†† The matter has received much consideration from the Congested Districts Board, who have reported that the use of large boats on the coast of north-east Donegal is beset with difficulty, as there are no natural facilities there for making large harbours at a reasonable cost. The hon. Member may remember that I visited the coast some weeks ago in his company; and the question of what can be done for fishing piers and how to find the money to do it has since engaged my constant attention.

Cavan Untenanted Land.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners are negotiating for the purchase of the untenanted lands in the landlords' hands in the townland of Coolbane, Lossett, and Drumroe on the Lieutenant-Colonel W. C. Lloyd, and others, estate, county Cavan.

MR. BRYCE: The Estates Commissioners inform me that the only untenanted land on the estate in question consists of seventy-seven acres in the townlands of Coolbane and Lossett, which the vendors are selling in parcels to five persons who have signed agreements for the purchase thereof.

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† See (4) *Debates*, clix., 1103.

‡ See (4) *Debates*, clxiv, 759–760.

†† See (4) *Debates*, clviii., 426.

Lloyd Estate, Cavan.

MR. VINCENT KENNEDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state what is the position of the sale of the Lieutenant-Colonel William C. Lloyd, H. W. Lloyd, Major Alfred Lloyd, R. Lloyd, Arthur B. Lloyd, and Major Frederick C. Lloyd estate, near Arva, county Cavan; when were purchase agreements filed; how many tenants signed these agreements; when was this estate inspected; how many evicted tenants are there on the said estate; what amount of untenanted land is on the landlord's hands; and how many tenants are still outside this sale.

MR. BRYCE: The Estates Commissioners inform me that twenty-four agreements for purchase by tenants on the estate in question were lodged with them on 16th March last. An agreement for the purchase of a parcel containing thirty-two acres has also been lodged, and the only untenanted land included in the sale consists of three acres. From the schedule of tenancies it would appear that there are still seventeen holdings for which agreements for purchase have not yet been received. Four applications from persons claiming reinstatement as evicted tenants on the estate have been received. The estate has not yet been inspected, and, having regard to its order of priority, may not be inspected for a considerable time.

George Stewart Smith Estate, Cavan.

MR. VINCENT KENNEDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if agreements for the sale of the George Stewart Smith estate, county Cavan, have been filed, and when, with the names of the townlands; has the townland of Latnadronagh been excluded; will he say if the landlord has refused to sell two other townlands in the county; and will an inspector visit the estate.

MR. BRYCE: The Estates Commissioners inform me that purchase agreements in respect of the estate mentioned were lodged with them in April, 1905. The townlands included in the estate for sale are:—Portanure, Drumkeel, Shannow, Kilmainham, Corlateerin, Drumegil, Latnadronagh, Drumcarey, and Ardleny. The lands of Latnadronagh are not excluded. It does not appear from the documents lodged, that the vendor is the owner of any lands in the neighbourhood other than those for which purchase agreements have been lodged. An inspection of the estate will take place in about six months' time.

Glenlough Postal Arrangements.

MR. BOLAND: I beg to ask the Postmaster-General whether he is aware that there is a delivery of letters to the inhabitants of the district of Glenlough, near Castle Cove, county Kerry, on only one day in the week from Sneem; and whether, in view of the fact that a few years ago there was a daily service from Castle Cove, he will arrange that the letters be delivered on two additional days in the week.

MR. SYDNEY BUXTON: Inquiry is being made on this subject, and I will communicate the result to the hon. Member in due course.

Cahirciveen Telegram Delay.

MR. BOLAND: I beg to ask the Postmaster-General whether he is aware that there is frequently a delay of an hour in the delivery of telegrams which are sent from London to Cahirciveen and *vice versa*; and whether, in view of the fact that there is only one transmission, namely, at Cork, he will inquire into the cause of these delays and effect the necessary improvement, so that the delay shall not exceed a quarter of an hour.

MR. SYDNEY BUXTON: I am making inquiry on the subject, and will communicate with the hon. Member.

Royal Commissions.

SIR SAMUEL SCOTT (Marylebone, W.): I beg to ask the Prime Minister whether he will state how many Royal Commissions have been appointed since the present Government came into office; what has been the expenditure to date; and what amount is estimated to cover the future expenditure on these Commissions.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): The number of Royal Commissions appointed by this Government is eleven. The expenditure defrayed for them out of the Temporary Commissions Vote to 31st October is £3,287 13s. 7d. This does not include the cost of stationery, printing and office accommodation, which are borne by the Votes of other Departments. No Estimate can at present be made of the future cost of these Commissions, but an estimate of the sums required for them in 1907–1908 will be submitted in due course.

Expiring Laws Continuance Bill

MR. CLAUDE HAY: I beg to ask the Prime Minister on what date it is proposed to take the Second Reading of the Expiring Laws Continuance Bill.

SIR H. CAMPBELL-BANNERMAN: I cannot yet name the day on which the Second Reading will be taken, but it will be shortly.

Street Betting Bill.

MR. ASHLEY: I beg to ask the Prime Minister when he proposes to proceed with the Street Betting Bill.

SIR H. CAMPBELL-BANNERMAN: The Government intend to pass the Bill, but I am not in a position to say on what day it will be proceeded with.

NEW MEMBER SWORN.

Arthur James Sherwell, esquire, for the Parliamentary Borough of Huddersfield.

TOWN TENANTS (IRELAND) BILL.

As amended, on consideration, to be printed. [Bill 359.]

WORKMEN'S COMPENSATION BILL.

As amended by the (Standing Committee), considered.

*MR. COCHRANE (Ayrshire, N.) moved a new clause to empower the Postmaster-General to make arrangements for safeguarding the issue of policies granted by insurance companies to small employers. He pointed out that the Bill now embraced every small employer including those who employed five men or less, and this clause would give facilities which they otherwise lacked. These very small employers as a class were absolutely ignorant on questions of insurance, and they would fall very ready victims to a certain class of insurance companies. He proposed that in the Post Office the small employer should have an agency by means of which he would get into touch with solvent insurance companies, whose business would be carried out under regulations prescribed by the Treasury. The regulations which he contemplated would provide for annual returns showing the extent of the liabilities and the amount of the reserves, and possibly for some deposit in recognised securities. Care would be taken, too, to secure that the conditions imposed were not unduly onerous. A case came under his notice the previous day where a man had insured against an accident for £200; but in the policy there was a clause providing that all costs were to come out of the sum assured. This was a direct incentive to the company to fight the case, and as a matter of fact they did so. The costs ran up to £150, and the holder of the policy therefore only got £50. Such a thing as that might be avoided under the clause.

MR. JOHN O'CONNOR (Kildare, N.): Was that a case under the Workmen's Compensation Act?

*MR. COCHRANE said he was not certain, he thought it arose under the common law, but he only cited it as showing that under his proposal such a provision would not be likely to escape the vigilant eye of the Registrar of Friendly Societies. Again, there was danger of the insolvency of the small employer, unless it was made easy for him to insure. There was a warning of that in the Report of the Departmental Committee, in which it was pointed out that some precautions should be taken to minimise that danger. In that Report the Committee stated—

> "What is to be expected if this prospect of a great access of business brings about the establishment of a number of new companies eagerly competing for the custom of the classes of employers who will for the first time be brought under the liabilities imposed by the Act."

That point needed no illustration on his part to make the House see that it was in the mind of the Departmental Committee, although not a subject included in their reference, that if the Act was widely extended some provision must be made to protect the small and ignorant employers against bogus companies. He himself would have liked to propose something much wider; for instance, to have made the Post Office Savings Bank directly responsible for insuring the small employer. Indeed, he would have gone a step further and said that, having regard to the fact that the small employer must necessarily pay a higher premium than the large employer, the same protection should be given to the small employer as was given to the small investor in the Post Office Savings Bank. He blamed the right hon. Gentleman the Home Secretary for having done nothing whatever to meet the case which was raised eight months ago at the Second Reading of the Bill by the right hon. Gentleman the Member for the Forest of Dean, himself, and other speakers. The Home Secretary had had every opportunity for inquiring into this point and of bringing forward legislation upon it, if he had so desired. The Government had been ready enough to adopt private Members' Bills, regardless of their merits—[MINISTERIAL cries of dissent]—or their demerits, he ought to have said.

———

Message to attend the Lords Commissioners.

The House went; and, being returned—

Mr. SPEAKER reported the Royal Assent to: (1) Marriage with Foreigners Act, 1906; (2) Intoxicating Liquors (Ireland) Act, 1906; (3) Clydebank and District Water and Burgh Extension Order Confirmation Act, 1906; (4) Blairgowrie, Rattray, and District Water Board Order Confirmation Act, 1906; (5) Edinburgh Corporation (Superannuation) Order Confirmation Act, 1906; (6) Metropolitan Electric Supply Company Act, 1906; (7) Dover Harbour (Works, etc.) Act, 1906; (8) Great Northern Railway (Ireland) Act, 1906.

WORKMEN'S COMPENSATION BILL.

As amended, further considered.

*MR. COCHRANE, continuing his speech, said that during the last eight months the Government had done nothing to deal with this important question of insurance, although they had dealt with many other less important measures introduced by private Members of Parliament. In Germany this matter had been dealt with by several Acts of Parliament which commenced in 1883 with one of compulsory insurance, while the fundamental law was passed in 1884. Since that date five supplemental Acts of Parliament had been found necessary, and all he could ask of the right hon. Gentleman was, "Why do we lag so far behind?" The right hon. Gentleman, on the Second Reading, said—

> "The fact of the matter is that the wider you extend the scope of what we call the principle of workmen's compensation the greater is the urgency you create for some system to guarantee the position of those entitled to compensation."

But his right hon. friend had done nothing between April of this year and the present time to provide for that necessity which had been accentuated enormously since the time at which he spoke, because the restrictions in regard to the number of people who would be affected by the Act had been swept away. The urgency of the situation had therefore been accentuated. Then, again, in the course of the debate the right hon. Gentleman said that the present Government considered that there was a risk as regarded the ability of the small employer to make compensation to his workmen in case of injury. If that risk existed, and the Government could not find a remedy, he thought it was their duty to accept a remedy proposed to them from the other side of the House. His real object was to encourage insurance by the small employer. The Act, he might point out, was being very widely extended. The right hon. Gentleman himself had said that he wanted to limit the number of shop assistants to three, that was to say, that the Workmen's Compensation Act should not apply in cases in which there were less than three assistants, and he had pointed out how widely a proposal to include less than three would extend the Act as compared with cases which applied to organised trades. He said—

> "Shop assistants number 1,000,000, of which about 450,000 are the sole assistants of the small shopkeepers by whom they are employed, and the House will have to consider whether it is advisable and safe to make these small grocers, drapers, and booksellers liable under the Act."

This expression of opinion also applied to masons, bricklayers, carpenters, carriers, joiners, blacksmiths, *et hoc genus omne*. As the Royal Commission pointed out, 25 per cent. of the small builders did not insure, and the evidence about the small tenement factories was to a similar effect. Commander Smith said—

> "The tenants of these factories neglect to insure, and being men of straw would be unable to pay any compensation awarded against them."

In view of that expression of opinion, he held that considerable responsibility in regard to these men rested upon the Government. If the Government left them without any protection they would be very wrong indeed. Knowingly to promise compensation and yet to take no steps in such cases was cruel and unstatesmanlike. In these cases very often the employer made no more money in the course of the year than the employee, and the only resort of the latter, if he were injured, was to make his employer a bankrupt or go without his compensation. After all, the small ignorant employer did not know probably what his duties were, but the Government, unless they were careful, were going to injure a man who had a wife and family to support just as much as his employee had. The Government were aware of the facts of the case, because the Home Secretary had stated—

> "The fact of the matter is that the wider you extend the scope of what we call the principle of workmen's compensation the greater is the urgency you create for some system of insurance to guarantee the position of those entitled to compensation."

Again the right hon. Gentleman had said—

> "The present Government consider that there is a risk with regard to the inability of the small employer to make good the payment to the workmen entitled to compensation."

These were weighty words, and this new clause would help the small employer and warn off insolvent adventurers who wished to traffic upon the needs of the poor and ignorant. But what was being done in foreign countries? In Spain the employer was released from his personal liability on insuring with an approved insurance company. In Holland one of the alternatives open to the employer was the transfer of his liability to an insurance company provided that this company deposited sufficient security with the State Insurance Office. In Sweden the employer was given the right to insure in "the Royal Insurance Institution," apparently a State institution. In Russia employers were exempted from liability if they had arranged for insurance in certain insurance companies. In Belgium employers escaped the obligation by contributing to an insurance fund set up by the State, and if they contracted for the payment of an indemnity by an insurance society approved by the Government. In Italy the general rule was that the employer must insure with the National Bank for the insurance of workmen against accidents (an institution established by the Government by agreement with various savings banks whose operations were assisted gratuitously by local officials and the Post Office), or with other societies approved by the Government. Exemptions were allowed to employers who gave security or belonged to a mutual insurance corporation fulfilling the conditions prescribed by law, the regulations of which had been approved by the State. The Home Secretary had admitted that the conditions in Italy were well worth our while to consider, but nothing had been done. Under the clause which he had submitted to the House he had endeavoured, so far as a private Member could, to meet the difficulty which he saw before them.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) seconded the proposed new clause brought forward by his hon. friend and former colleague. Everyone would admit that the Bill would throw a great burden on the employers of the country. That was one of the reasons why the right hon. Gentleman should give every consideration to this clause. It ought to be made as easy as possible for small employers to effect these insurances with proper and solvent companies. If the right hon. Gentleman could not go further he ought at least to see that a list of proper insurance companies was exposed in the post offices of the towns and villages. In that way the names of these insurance companies would come before the small employers, who would then be protected against bogus companies. The Government ought to see how far they could go in making it easy and cheap for the small employers to effect these insurances with solvent companies and protect them from the mushroom companies which would grow up directly this Bill became law. If the right hon. Gentleman could not accept the clause as it was, he hoped he would accept its principle and bring up another clause dealing with the matter.

New clause—

"(1) For the purpose of enabling small employers to enter more easily into contracts of insurance in respect of their liabilities under this Act, the Postmaster General may enter into and give effect to agreements with any insurance company approved for the purpose by the Registrar of Friendly Societies, for the issue through the Post Office of policies of insurance in respect of those liabilities granted to any such employer by the company. (2) Regulations made by the Treasury shall prescribe the conditions to be fulfilled by a company to obtain approval under this section, and shall provide for the payment by the company to the Registrar and the Postmaster-General of the amount of any expenses incurred by them in connection with any investigation of the affairs of the company before approval and with the issue of policies granted by the company, and shall contain such further provisions as may be necessary or proper to enable the Postmaster-General to carry into effect this section and any agreement made thereunder. (3) In this section the expression 'small employer' means an employer who, at the time when the policy is issued, has not in his employment more than five workmen, and it shall be a term of every policy issued under this section that if at any time during the currency of the policy the number of workmen in the employment of the policy holder exceeds five the policy shall thereupon become null and void, without prejudice to any liability already accrued thereunder, and the company shall repay to the employer such a proportion of the premium paid by him as is attributable to the unexpired portion of the period in respect of which the premium was paid."—(*Mr. Cochrane.*)

Brought up and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. Akers-Douglas.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, Central) said the Government were in full agreement with the object the right hon. Genlteman and his friend had in view in moving this clause. They desired as far as possible to make it easy for small employers to effect insurances through the Post Office or in other directions, but they did not view with favour the general object of compulsory insurance. The necessity for dealing with the large question was admitted, and when the right hon. Gentleman spoke of small bogus companies he would remind him that the Government had in hand a Bill, which would probably be brought in next year, by which that evil would to a large extent be dealt with, as a deposit would be required so as to insure a reasonable amount of solvency on the part of the companies. The hon. Member for North Ayrshire had blamed him for having neglected his opportunity in this matter, stating that before 28th November there was ample time to inquire into the whole subject and to bring in a scheme, or plan, or Bill to deal with the question of compulsory insurance. But the hon. Gentleman had also said that in Germany it had taken years of inquiry and five Acts of Parliament to deal with it. How all that work was to be done in two months he could not say. This clause was based on the general proposition brought forward by the right hon. Baronet the Member for the Forest of Dean on the Second Reading of the Bill. On that occasion it was fully discussed by the right hon. Member in an interesting and exhaustive speech in which he shewed how comprehensive and difficult the question was, and it was made perfectly clear that it would be sheer folly on the part of the Government, without full consideration, to commit itself to a particular scheme of national insurance. The Government required to consider the advantages and the disadvantages of the numberless schemes in existence, and the working of our own laws in relation to those schemes, before they determined what particular scheme could be applied in this country. What the House was now considering was the clause proposed by the hon. Member for North Ayrshire, to whom they were indebted for the obvious care with which he had dealt with the subject. He did not plead guilty to any neglect of his opportunities, but he thanked the hon. Member for the trouble he had taken in his desire to facilitate the working of the Act and to give employers hints. But the Amendment itself went too far. It involved an absolutely new departure and put a very great responsibility on the Post Office. It provided machinery for making the Post Office in a large measure an insurance agency. That was what the whole Amendment rested on, and if his right hon. friend took upon himself all the responsibility which rested on such agencies with the added responsibility of his office he would be in a position of great danger. The Chief Registrar also saw the greatest difficulty in the Amendment. Two things must happen if this Amendment were accepted. First of all, he presumed the Home Office would have to furnish a list of selected insurance companies which should be exposed in every post office throughout the kingdom. Before that could be done the Government would have to examine the financial condition of every recognised insurance company, and there would have to be a permanent committee for that purpose. There was no statutory power for such examinations, and probably the truth would not be ascertained. How was it possible to draw up such a list before 3rd July—the date at which this Bill was to come into operation. The hon. Member had not suggested how he proposed to get at the financial position of the companies.

*MR. COCHRANE said he thought the explanation was on the face of the clause,

> "For the purpose of enabling small employers to enter more easily into contracts of insurance in respect of their liabilities under this Act, the Postmaster-General may enter into and give effect to agreements with any insurance company approved for the purpose by the Registrar of Friendly Societies."

MR. GLADSTONE said that in that case the Amendment did not go far enough. A very serious question was raised. Was the State to guarantee the solvency of all the companies on the list? It was perfectly clear that if on the authority of the Government a list of selected insurance companies were hung up at all the post offices it would be equivalent to a Government guarantee that all these insurance offices were solvent. If he followed the argument of the hon. Gentleman that was not all. He understood him to say that a harsh company would not be selected, so that not only would the Government have to be responsible for the solvency of a company, but for its methods of conducting business as well. That opened up a vista of considerations which went to show that no solution of this question would be satisfactory without a formal and an exhaustive Government inquiry into the whole subject. There was another point. Any company that happened to send in its name would have it added to the list of companies to be hung in the post offices. Any company, large or small, good, bad, or indifferent, which chose to have its name put on the list would be put on. Was the Government to be a medium for giving facilities to a man to insure in a bad or insolvent company? Was it proposed that a sub-postmaster should select or advise the applicant to select a particular company? How was he to advise on the question? He had no knowledge of employers' liability law or of insurance risks. A special branch of the Post Office would be required to deal with the matter. One of the great difficulties in the matter of insurance for small employers was the cost of insurance relative to the risk that was run, and if they proposed an elaborate, but he was bound to say, with all respect to his hon. friend, an ill-considered scheme of Post Office interference, he very much doubted whether the effect that all desired would be obtained, namely, a cheap and easy policy to the insurer. In 1900 something like 2,000,000 agricultural labourers came under the Act, but it had not occurred to the late Government in five years to prepare a scheme, and he could not accept a proposal of the kind at two days' notice. Though he could not accept the Amendment, he, with the Postmaster-General, would be quite willing to confer with right hon. and hon. Gentlemen opposite and see if a way could be found to offer certain facilities through the Post Office and by executive action to assist the object in view. Having said that, he hoped the Amendment would not be pressed.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) said the right hon. Gentleman had recognised the interest which his hon. friend took in this question and the part he had a right to take in their debates on the subject. He hoped the right hon. Gentleman would recognise also that he had some interest in workmen's compensation, partly of a filial nature, partly on this particular Amendment, because he had had the honour at one time to hold the office of Postmaster-General. That was his justification for intervening in this debate. Though there was much he could find to criticise or to differ from in the observations of the right hon. Gentleman, his concluding sentences, for which he had not been altogether prepared by the earlier portions of his speech, encouraged him to hope much better things than he had hoped at first. The right hon. Gentleman himself in arguing against the Amendment had stated the difficulty with which they were really confronted. They wanted to make workmen's compensation as embodied in the original Act and as amplified by the amending Acts reach as far as possible. They wanted to secure compensation to the injured person with the least possible expenditure on machinery and with the greatest possible certainty that he would attain it when the proper time came. The more they extended it to industries carried on by very small employers, the greater was the difficulty of ensuring any one of these conditions being properly fulfilled, for, as the right hon. Gentleman had said, the small employers in a country village or scattered widely over a country district with very little to insure, and with a very small premium to pay, were not an attractive field for the insurance agent. That was the difficulty recognised by both sides of the House which it had been the object of his hon. friend to meet. He had not proposed to interfere with private enterprise, even in these scattered cases, still less in the cases of large industrial insurance, with which private enterprise could most easily deal; but he had suggested that to bring home the benefits of this insurance to these scattered cases of small employers they might fairly look for some assistance from the State, and that that assistance should be given through the Postmaster-General. Might he say as one who for a very short time held that office that he thought there was a natural disinclination on the part of the Post Office as an institution to add to its already large responsibilities new and onerous duties? At the same time, he conceived that the Legislature might find in the Post Office ready to hand an instrument at once certain, far-reaching, and economical, for some of the changes or reforms which they desired to see introduced, and he was extremely glad to hear from the Home Secretary that the present Postmaster-General was not averse to considering the tacking on to the Post Office of some additional duties outside the ordinary work of the office. What were the objections urged by the Home Secretary? The right hon. Gentleman had said that the chief registrar of friendly societies would have great objection to the duties thrown upon him, and they ought to pay attention to his opinion. The same objections would apply to Clause 8, under which similar duties were imposed.

MR. GLADSTONE thought the right hon. Gentleman was rather anticipating the line the Government proposed to take.

MR. AUSTEN CHAMBERLAIN said the Home Secretary had altogether exaggerated the duties which would be cast upon the Chief Registrar and the Treasury by his hon. friend's proposal. It would not be necessary to examine into the details of the management and solvency of every insurance company throughout the United Kingdom. All that was necessary would be to make an alteration in the law which would impose upon every insurance company doing this class of insurance business the obligation of depositing sufficient security to meet any liability which might arise under these policies. The words of the new clause in sub-section (2) provided that—

> "Regulations made by the Treasury shall prescribe the conditions to be fulfilled by a company to obtain approval under this section."

No doubt if the Government consulted with the Chief Registrar they would be able to frame general regulations which would guarantee the solvency of the companies concerned for the purposes of these policies. The Home Secretary had drawn a picture of the sub-postmaster having to refer individual cases to the Postmaster-General, or to the new branch of his Department which would have to consider each case on its merits; he agreed if that were the result of this Amendment it would make the working of the scheme practically impossible. He submitted, however, that that would not be necessary, because all that was required was to lay down general regulations by which it could be easily ascertained what class of risk the applicant would come under. He thought there were strong reasons for using the Post Office as an agency in this matter, because it would add to the present life annuity business. He welcomed the statement made by the Home Secretary in his concluding remarks, although he thought he had somewhat exaggerated the difficulties. He hoped that before the debate closed the Postmaster-General would explain to the House what was in his mind, and the lines upon which he thought he might be able to take action.

*THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar) said everybody recognised the sympathetic manner in which the Home Secretary had met this Amendment, and that the hon. Gentleman opposite had done good service by raising the question. It was one that must be considered and, if possible, dealt with, because the State by this Bill would place an obligation upon small employers, and they ought to make that obligation as light as possible. It was a question to which he should like to devote his attention. The right hon. Gentleman opposite had asked what actual proposals he was in a position to make. The House would recognise that he could not give a reply to that question without the fullest consideration.

MR. AUSTEN CHAMBERLAIN said that was not his question, because that would be quite unreasonable. What he asked was if the Postmaster-General could indicate the lines on which his mind was working, and the results he hoped eventually to obtain.

*MR. SYDNEY BUXTON said he had not yet had an opportunity of giving it full consideration, but, speaking without prejudice, he thought that if the Post Office dealt with the matter all it would be better that it should deal with it as principal and not as an agent. There were two difficulties in the way of the State's acting as an agent. There was the difficulty of the State, through its officers, distinguishing between one company and another, and if a distinction was made, it would be considered to be an absolute guarantee of the solvency of the company, and in the case of any defalcation on the part of the company there would be a claim upon the State to fulfil its obligations. Therefore it appeared to him, on the first blush, that, if the State found it could deal with this matter at all, it should deal with it directly, because it would incur all the responsibility; though it might be found, in working out a practical scheme, that the difficulty might be overcome and agency be utilised. That was a question that required grave consideration. He might mention that there was a Bill prepared, which would be introduced in the coming session, more or less on the lines of the present Assurance Companies Act, whereby such companies who desired to make a deposit, or in some other way to show to a certain extent their solvency, would be put on a list, and no company who did not show sufficient security would be allowed to undertake this assurance at all. That was what they all desired—to prevent rotten companies from undertaking the work. For the moment all he could promise was that, so far as administrative action was concerned, he should desire to do anything he found it in his power to do. He saw the advantage of placing lists of solvent companies in post-offices for information.

*MR. COCHRANE asked how the right hon. Gentleman would discover which companies were solvent and which were insolvent.

*MR. SYDNEY BUXTON said that unfortunately they had no means at present of discovering which companies were solvent and which were insolvent. Under the Bill to be introduced next year they would have a list, and as soon as there was a list of solvent companies he would undertake that it should be so dealt with as to be utilised in bringing the two parties together. He would be prepared to allow the sub-postmasters in various parts of the country to act in their private capacity as agents for these companies and to give such information as they could. Until more security was obtainable they could not be allowed to make the State liable for the information which they gave. He hoped the House would recognise that the Home Secretary and himself desired to deal with this matter in a sympathetic spirit.

MR. KEIR HARDIE (Merthyr Tydvil) said that the Labour Members on both sides of the House were agreed in principle in regard to this Amendment. It was felt that it did supply a need for which there was no provision in the Bill. The statement just made by the Postmaster-General, however, had put an entirely new aspect on the question. He had given what was practically an assurance that in one form or another the Post Office would be used at least as a means of communicating information concerning insurance companies. A further indication that it was possible that the Post Office might develop into a principal insurer rather than an agency for insurance companies was most valuable and welcome. He would like to ask the Postmaster-General whether he could give any indication that some method of meeting the point made by the Amendment of the hon. Member for North Ayrshire would be devised to come into operation simultaneously with the Act on the 1st July next. If an assurance of that kind could be given he hoped the hon. Member would agree to the Amendment being withdrawn.

SIR E. CARSON (Dublin University) said he did not know very well how far the powers of the Post Office went under present legislation, but he thought most of them at all events were agreed with the observation which the Postmaster-General made that eventually this matter ought to develop into a scheme for the Post Office themselves carrying out these small insurances just as they carried out other matters not germane to Post Office work. What he would suggest was that if the Post Office had not already sufficient powers the Postmaster-General should take powers by this Bill by a short clause, limited in any way that the right hon. Gentleman thought necessary, so that if and when he saw it was feasible to formulate a scheme for setting up these insurance provisions they could do so. It would be merely a permissive clause, and the whole matter would be dealt with under the regulations of the Post Office and the Treasury, so that it would be lawful for the Post Office with the consent of the Treasury to set up a scheme to enable small employers to insure through the Post Office.

MR. SYDNEY BUXTON said he had stated as fully as he could at present the views which the Government entertained on the subject. Without having further opportunity of looking into the matter, the only pledge he would give to the House was that he would give it sympathetic consideration on the lines he had indicated.

SIR FREDERICK BANBURY (City of London) said the proposal of the right hon. and learned Gentleman the Member for Dublin University was extremely dangerous. He understood the proposal was that the Post Office should start an insurance business. He was astonished at the rapidity with which they were going on the road to socialism. He understood further that the Postmaster-General was going to allow postmasters to recommend insurance companies on the understanding that the Post Office did not accept any liability.

MR. SYDNEY BUXTON: To give information.

SIR FREDERICK BANBURY said the result would inevitably be that the people who received information would consider that the name given by a postmaster carried with it the liability of the State. Therefore he thought that before the right hon. Gentleman gave permission to postmasters to do this he should take some steps to ascertain that the companies recommended were in a sound financial position. He could find out in a fortnight which insurance companies were sufficiently sound to be recommended with a reasonable probability that they would be able to meet their liabilities. This was an extremely important point on which he felt strongly, and he hoped the Postmaster-General would consider what he had said.

*MR. COCHRANE thanked the Postmaster-General and the House for their kindly and sympathetic reception of the Amendment. He did not share the fears of the hon. Baronet the Member for the City of London as to what would take place. The Post Office had already undertaken considerable insurance business, and after due inquiry it might be found that the Department could still further extend the sphere of its usefulness. The right hon. Gentleman had substantially admitted his point and promised that the matter should receive immediate attention, and he had further stated that the Board of Trade would early in next session introduce a Bill dealing with the subject. He therefore asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. GLADSTONE moved an Amendment providing that an employer should not be liable in respect of any injury which did not disable the workman for a period of "one week" instead of "three days." He would briefly remind the House what had been done in regard to this point. The Bill as originally introduced provided that there should be compensation after seven days. In the Standing Committee an Amendment was carried against the advice of the Government substituting three days for seven. There had been considerable debate about the matter, and communications had been received from employers complaining that the qualifying period had been made so short. Proposals were made on behalf of the employers to the effect that if "seven days" were reinserted, they would be ready to accept a dating back provision after twenty-eight days. Afterwards he announced to the Grand Committee that the Government, after careful consideration, proposed to reinstate "seven days," and subsequently they provided a dating back period so that the workman should get compensation after fourteen days.

*MR. COCHRANE: I did not gather that "fourteen days" was part of the bargain at all.

MR. GLADSTONE said he announced that to the Grand Committee. There could be no question about that. He did not say that the hon. Gentleman accepted it, but unless he was under a misapprehension, it was received with approval in the Committee by hon. Gentlemen opposite and below the gangway. The principal argument in favour of substituting seven days for fourteen was to his mind to be found in the evidence given before the Departmental Committee, which showed the great hardship which this long qualifying period inflicted more particularly on the small wage-earners of the country. A man or woman earning 7s., 10s., or 12s. a week, after being injured, had to pass a whole fortnight before getting either wages or compensation, and the Government felt, in view of the many cases of hardship which would arise, that the matter was one of which they ought to take notice. He quite agreed that the proposal of the Government would involve considerable increase in the cost, especially in connection with the more dangerous trades of the country. There were many trades where the question of cost was quite inconsiderable to the employers themselves, but when they came to such trades as engineering, shipbuilding, mining, and so forth, it was a far more serious matter. What he maintained was that the proposal which the Government were making in this Bill was a necessary and direct consequence of the Act of 1897, because this principle was adopted as underlying that Act. The right hon. Member for West Birmingham, to whom everybody was under a great obligation in connection with the question of workmen's compensation, laid down these words—

> "When a person on his own responsibility sets in motion an agency with grievous risk to others, he ought to be similarly responsible for what he does."

In 1897 the Government in many directions refused to put upon the employer a higher liability than was proposed in their Bill; but they did not refuse to accept Amendments involving higher liability because it was wrong in itself. Time after time they urged that the Bill which they were introducing was tentative and experimental, and that they wanted fuller experience before committing themselves to the further progressive stages which they frankly admitted would ultimately become absolutely necessary. The country had now had almost ten years experience of the working of the Act of 1895, and he maintained that the cost of the Act had not inflicted the smallest damage on any industry in the country, in spite of the lugubrious and harrowing prophecies which were made in 1897. The two great hardships which had emerged from the working of the Act had been the hardship to the small wage-earner in losing his wages for two weeks when he was only temporarily incapacitated, and the hardship on the severely injured man, who might be laid up for six months or a year, who was cut off absolutely from any compensation for the first fortnight. These particular hardships were inconsistent with the principle laid down in 1897 by the right hon. Member for West Birmingham. No provision in the Bill would injure the country, as against foreign countries. He was confident that no damage would be done to the industries of the country, and that the provisions in the Bill would fall lightly on the shoulders of employers. In some foreign countries the compensation law pressed more hardly on the employers than any Act passed by Parliament in this country. He knew quite well that the employer did not like to increase the responsibilities Parliament was imposing upon him; but the employer would not bear any higher burden under this Bill than under the Act of 1897. The burden would be transferred to the consumer. It seemed to him that the workman had as much title in one sense as the employer to keep his eye on increased charges of production, because he knew that unless the employer could transfer those charges to the consumer they would affect his wages. It would be acknowledged that those who represented workmen made no complaint that this charge indirectly fell upon them, because it was in order that those who were injured should be provided for.

Mr. Gladstone.

Amendment proposed to the Bill—

"In page 1, line 13, to leave out the words 'three days,' and to insert the word 'seven.'"—(*Mr. Secretary Gladstone.*)

Question proposed, "That 'three days' stand part of the Bill."

MR. COCHRANE said he could not quite accept what the right hon. Gentleman had said in regard to what took place in Committee upstairs. He understood the right hon. Gentleman to have then made the statement that the claim for compensation was to be after fourteen days from the injury.

MR. GLADSTONE said that in Committee he stated that while the Government then accepted three days they would be prepared on Report to restore it to seven days from the date of the injury.

MR. COCHRANE said that the right hon. Gentleman had referred to the prophecies which had been made in 1897 as to the evil which would result from the Workmen's Compensation Act. But he would remind the right hon. Gentleman that those prophecies came from the right hon. Gentleman's own Party which was then in opposition. He remembered a wealthy coalowner getting up in the House and saying that if the Bill introduced by the right hon. Member for West Birmingham were passed he would be a ruined man. What had happened to that prophet? Like all prophets he had in due course been translated to a higher sphere—in his case to the House of Lords—and he was still solvent. He endorsed emphatically what had been said by the right hon. Gentleman that this was not entirely an employer's or a workman's question. It was a national question. The fund from which the compensation would be paid was the wages fund, and the working classes had as direct an interest as the employers in the economical management of that fund. He desired to see all reasonable precautions taken to prevent the increase of malingering from which the working classes were no more exempt than other sections of the community. The friendly societies by their rules protected themselves against malingering, and although he did not wish to make allegations of any kind he wanted hon. Members to see that there was a case to be met and dealt with. If the compensation were allowed to be dated fourteen days back a man would be entitled to get his half pay after fourteen days for the whole fourteen days. He would take, for example, the case of a man earning 30s. a week. What would his position be under the Workmen's Compensation Act? It would be found that if after the eighth day he remained idle rather than go to work he would make more money by it. This had been very carefully worked out, and the figures sent to him showed that there was a direct incentive to a man not to return to work. It was not only the question of the compensation which had to be paid, but it was the fact that the man remaining away from his work disorganised the establishment. To reduce the time from fourteen to seven days would mean increased percentages in the cost of insurance rising from 8 to 44 per cent. in the coal-mining, shipbuilding, textile, and other industries. This appeared from the figures supplied by the right hon. Gentleman the Home Secretary himself.

Mr. GLADSTONE said that the figures he gave in reply to a Question were merely speculative estimates by employers.

Mr. COCHRANE said he was aware of that, but he thought the right hon. Gentleman would admit that they were genuine and *bona fide* figures which any hon. Member might quote to the House. What he suggested was that they wanted some measure of time which would enable them to tell whether the injury was serious or not. He was certain hon. Members opposite would agree with him, although they could not give him the support he desired. He desired to meet this difficulty. He did not want to see the man who had met with a serious accident left without assistance. He should, therefore, support the present Amendment, but he hoped the right hon. Gentlemen would not be inflexible with regard to the Amendment he (Mr. Cochrane) proposed to move at a later stage.

Mr. FENWICK (Northumberland, Wansbeck) said his understanding was that if the period of seven days was restored it would be made clear that on an injury incapacitating a man for fourteen days the payment would date from the beginning of the fortnight. As the phrase "more than two weeks" was used in the schedule he wished to know whether it was the intention of the Government that payment for the past week should be withheld if the illness did not last fifteen days.

Mr. GLADSTONE said the schedule would be made to accord with the hon. Member's understanding.

Mr. CORY (Cornwall, St. Ives) said he did not agree with the right hon. Gentleman, the Home Secretary, that the passing of the Act of 1897 did not affect the interest of any one industry. So far as the coal trade was concerned he differed entirely from the right hon. Gentleman. It had made it more costly to extract coal, and to that extent more difficult to compete with the foreigner. Other nations had similar schemes, but they, especially the German scheme as it affected the coal trade, were much more favourable. It could not be said that the workman paid the cost of the Compensation Act, because wages were not based on profits, but on prices. If the cost was increased and the price did not go up less profit was obtained, but the same wages were paid. Nor did the wages paid rest with the employer. They rested with the Conciliation Boards. He contended that the increased cost imposed by the Bill would fall not on the consumer or the workman, but on the producer. In certain cases a workman would be better off by remaining away from work than by working at full wages. The North Durham Colliery Company had given an instance of miners who, receiving benefit from the different benefit funds, together with compensation, would be better off than if they returned to work. For instance, a man might receive from the Permanent Relief Fund 5s. a week; from the Durham Miners' Fund, 10s. a week; and from the Colliery Fund another 8s a week, making a total of 23s., which supposing his wages were 30s. a week, and he received 15s. a week as compensation, would bring him in a total of 38s. a week if he remained away from work, instead of the 30s. he would get at regular work. In these circumstances there was sufficient inducement to a man to malinger. Under the present Act the proportion of cases in which compensation was paid per thousand of persons employed had increased from 43 to 148, which showed that as the men became better acquainted with the mode of making a claim the number of claims had enormously increased. He did not think that was to their credit. The Act had induced men to claim who were not entitled to do so, and by degrees they had been demoralised. Every class was liable to malinger, the working classes being no worse than any other. So long as a class had sufficient temptation they would avail themselves of the opportunity if it arose. The present proposal of the Home Secretary was infinitely worse than that carried in Grand Committee. Inquiries had been made from districts all over the country as to whether they would rather have three days, seven days, or a fortnight in this matter, and he thought without exception in all the big industries—certainly where coal was concerned—three days was preferred. Therefore the compromise that the right hon. Gentleman had spoken of was merely a compromise between him and the Labour Members, and so far as the employers were concerned it seemed to him they would be very much worse off than under the Bill at present. He should oppose the Home Secretary's Amendment if it were coupled with the fourteen days provision.

Mr. AUSTEN CHAMBERLAIN said he felt some difficulty in knowing how to vote upon the question which would be first put from the Chair. He would have been perfectly ready to support the right hon. Gentleman in the Motion that stood on the Paper had it not been for his explanation given in answer to the hon. Member for the Wansbeck Division as to his intention when they came to deal with a later portion of the Bill. The right hon. Gentleman stated that whilst proposing now to insert seven days in place of three days, he intended at a later point, to make the compensation retrospective if the accident disabled a man fourteen days. Under those circumstances he supposed he could hardly vote upon the present Motion without having regard to what the right hon. Gentleman intended it to lead up to. At any rate he must reconsider his intention to support the right hon. Gentleman. This was not a Party question in any way, and should not be treated in a sectional spirit. Their interests were all alike, and those of the good workman and the good employer were the same. They desired to secure that no serious injury should take place without the fault of the workman for which he should not receive compensation. They did not desire that the industry on which the workman was dependent for his livelihood or the employer should be unnecessarily burdened in giving effect to that principle, and, therefore, they did not desire that an industry should be taxed to support what were not genuine cases of incapacity. There was, of course, always a difficulty in ascertaining whether a man who pleaded incapacity for work was or was not really incapacitated in the first days of an illness or injury which might be very serious, but which, on the other hand, might be more the effect of his own imagination than anything else. Speaking for himself and for those whose views he knew in the Midland counties, he believed it would be better for the insurance societies and for the workmen that they should take the three days limit than have a proposal of the kind now made. If they encouraged a man to stay out from work by telling him that if he only stayed out long enough compensation from that date forward and also for the time he had previously been out would be paid, they would be giving him an enormous temptation to keep away from work. The great mass of workmen desired to prevent malingering, and did their utmost to prevent it, but they knew that their societies were from time to time defrauded by claims which they were unable to check. In Birmingham there was an Employers' Mutual Insurance Society. The society insured employers, who employed over 125,000 workmen, and for some time past they had been making investigations in order to ascertain the comparative cost of insurance on different systems. They computed that if the limit was three days the increased cost over that of the Act of 1897 would be 65 per cent., and if the limit were seven days the increase would be 74·4 per cent., in both cases the figure including increased cost of administration and investigation. For that additional cost to the employer no corresponding advantage was given to the workman. Personally he would support the old period of fourteen days without any counting back, because he thought it was the best. He would prefer, however, seven days to three days, because he did not think seven days inflicted any hardship on an injured workman, and was a greater security against malingering. But if the seven days were to be counted when the injury extended beyond a fortnight, he preferred the Bill as it left the Grand Committee.

*MR. BRACE (Glamorganshire, S.) said that if there was as much malingering among workmen as hon. Members professed to believe, the best solution of the difficulty would be to pay compensation from the date that the accident happened. Speaking as a workman, he had no hesitation in denying that there was anything like the quantity of malingering that they had been told existed. Far be it from him to say that they would not find here and there in a large number of working men a man who was not as honourable as he ought to be, but he was really an exception. The House was asked to legislate for the rule, not for the exception. He did not think hon. Members ought to emphasise too much the question of malingering. When the right hon. Gentleman the Member for East Worcestershire told the House that sometimes workmen's accidents were more matters of their own imagination than anything else, he was afraid that the right hon. Gentleman had not been hurt or injured by following manual labour himself. He himself had, and for years before he entered Parliament it was his particular business to deal direct with cases of compensation. Men had been hurt who bore no signs of it, but they knew they were hurt, and even after they returned to their work they had been obliged to give up. Much emphasis had been laid on the case of a man who although he received £100 for total disablement began to work again. They were not told, however, whether that workman had commenced to work at his own trade, which was an important distinction. A miner was often injured and received compensation but was able to do some light work outside his trade. There were many cases of that kind. A man should not be called a malingerer because he worked at some lighter trade. The late Chancellor of the Exchequer had observed quite correctly that compensation was paid out of the "wage and profit" fund of a concern, and therefore the workmen paid their proportionate share towards the compensation. The hon. Member for St. Ives said that wages were ruled by prices. He noticed that the same hon. Gentleman fought as strongly and determinedly against any advance of wages as he was doing against compensation, and looked at the matter from the side of the employer. He agreed that he himself might be somewhat biassed in looking at the question from a workman's point of view, but he would remind the hon. Member that neither the selling price nor the wages paid were taken into account so far as compensation was concerned, because compensation was paid out of the wage and profit fund, and if that was reduced the workmen stood to lose. If the concern did not pay the men got no allowances when working in bad or unfair places. He would like to ask the House to pause before placing too much reliance upon the documents which had been sent to Members by representative employers' associations. He did not say they were compiled purposely to mislead, but the question of cost was looked, from the standpoint of the employer, through such a large magnifying glass that the facts were exaggerated. It was stated by the employers on the introduction of this Bill that the result of its working would impose a burden of 3d. a ton on all coal got, but the actual figures showed that it was less than 1d. per ton.

MR. MARKHAM (Nottinghamshire, Mansfield): The hon. Member is quite wrong there.

*MR. BRACE said he was speaking well within his own knowledge, but he would be glad to hear from the hon.

Member the source of his information. If the employers made such a blunder before what reliability could they place on their statements now? But the question of cost ought not to be considered in connection with injured workmen. Surely it was not too much to ask the House of Commons to provide that when men had been badly mauled in producing the nation's wealth they should be given sufficient compensation to keep themselves and their families in some kind of comfort and respectability until they were able to resume work. He did not think that seven days for a minor accident was unfair, although he was sure that he could make out a strong case for payment from the first day of injury in serious and minor accident cases. In his view the proposal of the Government was a fair compromise. An honourable understanding had been arrived at by which the injured were to have compensation from the first day of the injury in serious accidents, and a limit of seven days for minor accidents, and he thought that was an arrangement which the House might very well accept. When a man was injured the cost of keeping up his home was very much greater than under normal circumstances. During the first few weeks whilst the injured man was nourishing his body an increased cost would be thrown upon the home and its resources. When a man's earning power was withdrawn by an accident surely it was only right and equitable that the Legislature should open a channel through which the means of sustenance might flow until he had recovered. He hoped the compromise arrived at would not be departed from.

MR. H. J. TENNANT (Berwickshire) said the Government had agreed to this compromise, and he did not think the point was worth arguing under the circumstances. It had been said that there were more serious accidents than minor ones, but surely the path the Government had taken was the right one, namely, to give compensation for the larger number of the accidents.

MR. CORY said that according to the report of the inspector of mines serious accidents had decreased, whereas trivial accidents had increased.

Mr. Brace.

MR. H. J. TENNANT said he believed the suggestion was a compromise which would be largely instrumental in preventing the occurrence of accidents, and the Government ought to adhere to it.

MR. MARKHAM said he had some knowledge of the cost of the working of the Compensation Act. In South Wales the cost of compensation insurance was originally 18s. per £100, but it had risen to 35s. The cost to his colliery company in South Wales—and he did not regret it, because he considered that every employer could recoup himself in the prices he charged for his commodities—was 50 per cent. higher than the hon. Member had stated. It was 1½d. per ton and not 1d. In Yorkshire the cost of insurance had increased according to the latest quotations of insurance companies by 20 per cent. This also applied to Derbyshire and counties in the federated area. He heartily supported the Amendment, as it would be most disastrous to have three days. He had always advocated to his constituents that the time should be a week in the case of trivial accidents. He was quite certain that when the clause was in operation the cost to the employer would be nothing like what some Opposition Members had stated. He had made careful inquiries and he estimated that the increased cost due to this just and equitable provision would be less than ¼d. per ton.

MR. PARKES (Birmingham, Central), who was indistinctly heard was understood to say that there was no compromise in the Grand Committee.

MR. H. J. TENNANT said he excepted the hon. Gentleman.

MR. PARKES asked of what value it was if the compromise was made with only one portion of the Committee. Various solutions were mentioned in the Committee as to dating back. The Bill, when originally brought in by the right hon. Gentleman, mentioned seven days without any qualification at all. The Government were beaten on that point, and the right hon. Gentleman in charge of the Bill expressed his disagreement with the decision of the Committee, and suggested as a compromise seven days and fourteen days dating back. A deputation waited on the right hon. Gentleman, after the Amendment substituting three days had been carried, and he stated that he stood by the Bill as originally drawn.

MR. GLADSTONE said the deputation accepted the proposal as to dating back.

MR. PARKES said he had read the report of the deputation, and there was no mention in it of dating back. What was said to the deputation showed that the right hon. Gentleman was not satisfied with "three days." The compromise which the Home Secretary had promised was no better than the three days, and would give no relief to the industrial people of the country There was no disposition on the part of any section of the House to refuse compensation to a man who was genuinely disabled. He believed the desire was that every man who was seriously injured should receive compensation, starting from the day on which the injury was sustained. He thought that provision might be made in the Bill to give effect to that view. The proposal now made by the Government was worse than the "three days" provided for by the Amendment carried in the Grand Committee. Those who were not parties to the suggested arrangement were perfectly justified in saying that they disagreed with the solution put before them.

*MR. BRODIE (Surrey, Reigate) said he entirely agreed with the statement that this Bill should have been so framed that compensation should date from the day of the injury. Most hon. Members accepted the Bill because they believed it paved the way for a wider scheme of compensation for all accidents. The Home Secretary was not singular in moving this Amendment. He had himself given notice of a similar Amendment, though he intended it to pave the way for a later Amendment in the following terms—

> "Provided also that where the disablement arising from the injury prevents the workman from earning full wages for a period of one week the employer shall be liable to pay compensation for the whole period of such disablement starting from the commencement."

He suggested that the dating back period should be one week instead of fourteen days. Hon. Members above the gangway had been considerably impressed by the memorandum which they had received from engineering employers and the federation of shipbuilding employers. They very pertinently pointed out that if compensation was to date back to the commencement of the injury, provided that the injury should have lasted fourteen days, that was a reason why a man, who might be ill for a week or ten days, would be anxious to be ill for fourteen days in order to obtain the benefit. It seemed to him—and there were others who agreed with him—that it would be far better in the interests both of employer and employed that the period should date back after one week to the date of the accident. He should have preferred that the clause had remained exactly as it was, but he hoped the right hon. Gentleman would accept the suggestion that compensation should commence after the end of one week and date back to the date of injury. He should like to dissociate himself from what had been said as to malingering on the part of the men. They all knew that there were bad workmen as well as bad employers, but he believed that they might rely upon the trade unions bringing their influence to bear in order to prevent malingering in the manufacturing districts. In other parts of the country there was a wonderful freedom from anything like malingering or shirking of work.

*MR. WALSH (Lancashire, Ince) said he rose with some little hesitation, because he did not want to delay the passing of this measure, but he wished to state how sincerely grateful he and his friends were to the Government for standing by the Bill both in the House and in the Grand Committee. On the Second Reading of the Bill he himself had suggested to the Home Secretary that the provisions of the French law should be adopted in this measure. The predictions of woe and of disaster which were to fall upon the employers from the first Workmen's Compensation Act would have been sorrowful had they not been so ridiculous. In France since 1898 compensation had been paid in all industries from five days after the accident; and since 1905 if the injury lasted ten days compensation had been paid from the day of the accident. They had been told that the competition was so keen in these days that under the pressure of such a Bill as this they would be beaten in the race of life; but he maintained that they had nothing to fear, as had been proved by experience. It should be remembered that the onus of proof rested on the workman, who would also have to produce a surgeon's certificate that he was suffering from the effects of an accident. The employers themselves had always their own machinery for their protection. He held that the French experience of eight years sufficiently demonstrated that a nation did not suffer by paying its injured workpeople from at least the first week of an accident, or, if the injury lasted more than ten days, from the day the accident occurred. He remembered how the coal owners of Great Britain had insisted that the first Workmen's Compensation Act would increase the price of coal by from 3d. to 1s. per ton; but evidence was laid before the Commission that for years the increase was only ½d. per ton, and it had never yet exceeded two-thirds of a penny per ton. He again offered sincere congratulations to the Government on the firm stand they had made in regard to this Amendment.

MR. F. E. SMITH (Liverpool, Walton) said that he understood that the Government had come to an arrangement with the hon. Members below the Gangway in regard to this Amendment. He confessed that after giving the best attention he could to the arguments used in Grand Committee, he thought that three days as the period after the accident when compensation should commence might safely have been adopted by the Government. He had argued in hundreds of cases brought under the Workmen's Compensation Act of 1897, and he was happy to assure the House that he knew of only one case in which malingering had been successfully brought home to a working man. The hon. Member for North Ayrshire had stated that there were cases where men who had been compensated for injury were engaged in other employments, but that argument was totally irrevelant to the present case. The only question before the House was whether or not the payment of compensation three days from the accident was a greater advantage to the working classes than a burden on the employer. In his opinion there could be no doubt that it would be a great advantage to the working classes. He had had the advantage of discussing this quesion with associations of working men in his constituency, and he found that their wish was that compensation should be given at the earliest possible day. They preferred that it should be given from the first day, and if not that it should be given from the third day. He believed that employers of labour and the general body of workmen would much prefer three days to the scheme put forward by the Government, and on behalf of the working men of his constituency he could be no party to the bargain entered into between the right hon. Gentleman and hon. Members below the Gangway. Even if he voted alone he would divide the House upon the subject.

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said it would be interesting to know whether the hon. and learned Gentleman who had just sat down represented the opinions of hon. Gentlemen around him and of right hon. Gentlemen on the front Opposition Bench. If he did, he had made an exceedingly belated revelation. The unanimous opinion of the direct representatives of labour was that on the whole they preferred the present proposal of the Government to an all-round three-days period. He thought they might assume that from the economic point of view there was not much difference between one scheme and the other, but the

Government believed that the three days scheme would result in an immense flood of comparatively small claims which would clog the working of the Act. It was impossible, as had been suggested, to define what was a serious accident. It was provided in the Notice of Accidents Act that serious accidents should be reported, but the phrase had been found so ambiguous that it was impossible to maintain it. As to the burden of cost which this measure and compensation generally threw on the industry of the country, when they spoke in percentages the increase seemed heavy. But what did it amount to in actual figures? At present the ordinary rate of insurance was about £1 for every £100 spent in wages in an ordinary trade. The increase in the cost of insurance was precisely equivalent to a rise in wages, and a rise in wages of 1 per cent. would be regarded as a matter of very small importance. The cost under the Act of 1897 was equivalent to a rise in wages all round from £1 to £1 0s. 2½d., and if they assumed that this new Bill would add 30 per cent., that would be equivalent to about ¾d. per £1 of wages, bringing it up to £1 0s. 3¼d. He thought the House would agree that that was not a very heavy burden.

Question put, and negatived.

Proposed words inserted in the Bill.

MR. GLADSTONE moved what he described as a drafting Amendment. As the clause stood it provided that when the injury was caused through the negligence of the employer nothing in this Act should affect his liability,

"but in that case the workman may at his option either claim compensation under this Act or take the same proceedings as were open to him before the commencement of this Act."

He moved to leave out the words "the same" and also "as were open to him before the commencement" and insert "independently." so that the clause would read—

"The workman may at his option either claim compensation under this Act or take proceedings independently."

Amendments proposed to the Bill—

"In page 1, line 22, to leave out the words 'the same.'"

"In page 1, line 23, to leave out the words 'as were open to him before the commencement,' and insert the word 'independently.'"—(*Mr. Gladstone.*)

Amendments agreed to.

*MR. WALSH moved as an Amendment to leave out sub-section (*c*) of Clause 1, which runs—

"If it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed."

The hon. Member said he did not wish to give the House a rehash of the arguments used in the Grand Committee, but he might say that nine years ago a very lengthy debate took place upon the insertion of this provision, but in operation it had not proved of much utility. The cases in which the employers had been successful in establishing that a workman had been guilty of serious and wilful misconduct had been very few in number, and little tangible relief had been obtained by them under this provision. The sub-section however, while it afforded very little relief to employers, had inflicted great hardship upon widows and children. After all, the general scheme of workmen's compensation was not based on abstract justice to the employer. Employers were held responsible for thousands of accidents over which they had no control. It was a charge upon industry when people set in motion machinery which might result in injury or loss of life. He did not want to repeat what he had said on former occasions, but he could quote case after case where hardship had resulted to widows and children. In the case of one colliery within three miles of his home, and in the constituency which he had the honour to represent, a portion of the mine filled with gas and the workpeople were removed to another part of the mine. The fireman of the mine and a man working by day wage went into the part which was filled with gas in order to rescue the rails and sleepers and the various implements required by the men. In doing so they no doubt committed an error of judgment. One man was an official of the mine and naturally would do his best for the owners, the other was a man on day wages and could not hope to derive any benefit from his action. Those two men were brought out of the mine dead, and it was held by the County Court Judge that their widows and children were not entitled to compensation because the men had been guilty of wilful misconduct. This clause became more detrimental day by day, especially in Scotland, where the Court of Session had tightened up the interpretation of the law to a considerable extent. A great many of those who now occupied the Treasury Bench voted against this sub-section when it was introduced into the Act of 1897, and therefore, without labouring the matter further, he begged to move that this paragraph be deleted.

Amendment proposed to the Bill—

"In page 2, line 5, to leave out paragraph (*c*) sub-section (2) of Clause 1."—(*Mr. Walsh.*)

Question proposed, "That the words 'if it is proved that the injury to a workman is' stand part of the Bill."

THE SOLICITOR-GENERAL (Sir W. ROBSON, S. Shields) said the hon. Member had reminded the House that nine years ago many who now occupied the Treasury Bench voted in the way the hon. Gentleman wanted them now to go, but since then many things had happened. In England the scope of this sub-section was by no means extensive; it did not do extensive good, and it could not inflict considerable harm. He thought it was to the credit of the Bill that there should be some penalty attaching to misconduct which could be described as serious and wilful. A mere breach of rules had not been treated as serious and wilful misconduct in England. There had been some cases in Soctland where a stricter view of the sub-section had been taken than was taken in England. He had little doubt that before long the law in England and in Scotland would be made to accord. There would be an appeal which would give for both countries an authoritative exposition of the law. In England the question of serious and wilful misconduct had always been treated as a question of fact, and there could be no doubt as to the justice of dealing with it in that way. The Scottish Courts had treated the question as being in some measure a question of law. He had little doubt as to what the result would be of any appeal to the House of Lords. They must treat the sub-section as one which would soon receive a construction applicable both to England and to Scotland, which would leave this question entirely as a question of fact to be decided by the arbitrators and Judges, and in accordance with the tendency of arbitrators and Judges to treat cases of serious and wilful misconduct as being almost inconceivably rare. Therefore he saw no reason for deleting a clause which was intended to be a protection to the employer. The clause did some good, although it found its way so little into the law Courts. There were cases in which the sub-section would operate as a deterrent against misconduct that might lead to injury. It did not infringe in any serious way the rights of workmen, and whatever might be said in favour of amendment he hoped the House would not delete the words.

*MR. BELL (Derby) said that although at the time he gave evidence before the Departmental Committee he had no knowledge of any member of the organisation of which he was secretary having ever been refused compensation on the ground of misconduct, unfortunately since then a case had occurred which made him feel very strongly in favour of this Amendment. It was a very simple case and one which no hon. Member, he was sure, would say could be construed into misconduct. It had been through the lower Courts and the Court of Appeal, and it was now waiting the pleasure of the House of Lords. It was a case of firemen on an express engine running many miles on a trunk line without a stop. The instructions issued by the officials of this particular railway, he believed, corresponded with what other companies also stipulated, that no fireman or engine-driver must go on the tender whilst the train was in motion. In this particular instance it appeared that the coal within reach of the foot plate had been burnt, and it became necessary for the fireman to go to the back of the tender to shovel down the coal so that it should be within his reach for stoking purposes. In going to the back of the tender the man came into contact with a bridge, and was killed. It was held in this instance that his death was due to his wilful misconduct in going to the back of the tender, and the claim was not allowed. Certainly no fireman would ever do anything of that kind unless it became absolutely necessary, but in this case there was only one other alternative, namely, to stop the express, and he left hon. Members to imagine what would have been the consequences then. That was certainly putting a strain on these words "wilful misconduct," though the act of the fireman was technically a breach of the regulations. If it was to be held to be misconduct it was a kind of misconduct which was committed daily by railway men, and he hoped therefore that the Home Secretary would accept this Amendment.

MR. ATHERLEY-JONES (Durham, N.W.) said the speech of the Solicitor-General was so conciliatory that he was disposed to think the Home Secretary might still accept the Amendment. He thought, however, that the hon. and learned Gentleman was inaccurate in stating that this section would apply to only rare cases in England. He had known a considerable number of cases in which the claims of the workmen had been defeated owing to the interpretation put upon the words "serious and wilful misconduct." The real mischief was that the decision of the arbitrator—often a County Court Judge—was absolutely final in this matter. The cases held to be "serious or wilful misconduct" had almost always been based upon some non-observance of rules. On the other hand, he knew of no case where in the ordinary acceptation of the term the offence could be held to be serious and wilful misconduct. A workman who was anxious to serve the interests of his employer frequently volunteered to do work that he ought not to do, and the result was that the widow of such a workman when he lost his life got no compensation. He appealed to the Home Secretary to strike out the objectionable words altogether, in order to secure to the workman, if only in comparatively isolated cases, due compensation to himself or his family for every injury he received.

MR. CROSSLEY (Cheshire, Altrincham) said thousands of accidents happened over which the employers had no control at all, and if they made rules for the protection of the workmen he thought it would be very hard indeed upon employers if when accidents happened through the breaking of those rules no notice was taken of the fact. He spoke as an engineer, so that he held no brief for employers. It was a rule in engineering works that machinery must not be cleaned while in motion, and the engines were stopped just before the ordinary stopping time on a Saturday in order to give workmen an opportunity to clean the machinery before they went away. It was a common practice for young fellows to try to clean the machinery while it was running, and he had known more accidents take place in that way than in any other. It was very hard upon employers who had made the rules for the protection of the workman that they should have to pay compensation to a workman for the loss of a finger in such a case. This clause was needed for a disciplinary reason, and it would be very wrong, coming as it did after the clause placing so much responsibility upon employers, if it were deleted.

MR. GLADSTONE said he rose really to make a suggestion which he hoped would receive some consideration. It was to limit the sub-section to non-fatal accidents. In the first place, it seemed to him it did not involve a large concession on the part of employers, but it was a very considerable concession to those who were unfortunately concerned. If a man were killed and his death were held to be due to serious and wilful misconduct, he was not there to give evidence on his own behalf, and the consequence was that his dependents got no compensation at all, and it was little consolation to them to know that there was serious and wilful misconduct on the part of the man who was killed. The hon. Member for Derby had given a case in point. It did not amount to serious and wilful misconduct. There was the case of a man who was held to be guilty of serious and wilful misconduct because instead of taking refuge in the nearest man-hole in a tunnel he ran on to the next and was killed.

Having regard to the comparatively few occasions in which this sub-section would come into operation, he did not think it was much to ask employers to consent freely to the proposal that it should be limited to non-fatal accidents. They ought to consider the position of the dependents in this matter. The bread-winner in these cases would be killed, and why should his family suffer? On behalf of the Government he was willing to insert after the word "shall" in line 8 of sub-section (c) the words "unless the injury results in death."

MR. CORY said the right hon. Gentleman's suggestion would not meet the case. It had been admitted that very few employers took advantage of this clause, and they did not resist claims for compensation under it. A case came before his notice of a man who was returning home after working on the docks, and instead of crossing the railway line by a bridge he passed under some trucks just when the train was starting and was killed. That was a clear case of wilful misconduct. In that case the employer did not try to evade the claim, but paid it. The proposal did not make the workmen any more careful, and he hoped the right hon. Gentleman would keep the clause as it stood.

*MR. KEIR HARDIE said that admitting an accident was due to carelessness or wilful misconduct, surely it was better that an employer should suffer a slight injustice than the widow and family of the man who was killed. He wished to point out, however, that it did not always require an act of serious or wilful misconduct to disqualify the man. Under the Mines Regulation Act there were no less than 157 special rules, a large number of which were violated daily with the full knowledge, concurrence, and consent of all those concerned in the mine, from the manager downwards. He knew of cases where men had been threatened with dismissal for rigidly carrying out the special rules. In the case of an accident, however, if it could be shown, particularly in Scotland, that every one of the rules had not been rigidly observed, loss of compensation followed. If the Home Secretary could make the serious and wilful misconduct some serious act committed by the workman and not merely some omission to observe the rules, that might be made a basis for some common understanding. He wished to acknowledge the generous way in which the Home Office and the Government had endeavoured to meet the working classes on this point. Although they did not wish to press the matter unduly, he thought the Home Secretary would see that it was an important question.

MR. SAMUEL EVANS (Glamorganshire, Mid.) said a very reasonable appeal had been made by the hon. Member, but he warned him of the danger of any such limitation as he had suggested. Those who had to discuss these matters in Courts of Law knew how difficult it was to distinguish between the omission to keep a rule and the commission of an act. There might be a rule in a colliery that a man must not leave his own working place to go to the working place of another. The suggestion of the hon. Member was that a man who did that should not be held guilty of wilful misconduct. Surely it could be argued that that was the commission of an act by the man. After all, he thought the safest plan was to revert to the position of the original Bill of 1897, in which there was no such sub-section as this at all. In the opinion of the author of the Act of 1897 these words were not necessary. He quite agreed that nothing ought to be done which would seem to be an encouragement to the workman to commit serious or wilful misconduct. In the actualities of life the fact that there was such a sub-section as this in an Act of Parliament had no deterrent effect on men. The danger of this sub-section was pointed out in 1897 in that it would increase litigation, and, it being always a question of fact, no appeal brought would ever interfere with a finding of fact by the Judge who tried the case. The result was there was always litigation over these words "serious and wilful misconduct," and if it was certain that the inclusion of the words had no deterrent effect and that the exclusion would have no effect in the way of encouraging misconduct, the best way was to revert to the old position. A compromise had been suggested by the Home Secretary, but he did not think it went far enough or had any logical basis. If it was not right to deprive the representative of a deceased person of compensation in cases where injuries had resulted in death it was not right to deprive the man himself who, possibly through some error of judgment which might be regarded as serious misconduct, would be deprived of all compensation which the law should allow him. If that was the true aspect of the situation it was not a very great burden they were putting on the employer. He thought the time would soon come when compensation would have to come from some fund provided by the State. That was an additional reason why, when they were framing a code of compensation, they should omit these words, the inclusion of which inflicted considerable hardship on the workman. It would be very much better to omit the sub-section altogether.

MR. STUART WORTLEY (Sheffield, Hallam) said that from his recollection of the evidence he could not admit that the provision in the Act of 1897 had not a deterrent effect. It had always been somewhat surprising to him that gentlemen directly representing labour, who had from the first protested that what they wanted was not compensation but safety, had shown such unwillingness in all stages of this controversy to admit the inclusion of words such as those now proposed to be left out of the Bill. Although it had to be admitted that the effect of these words had been small, he thought their retention was a matter of great importance, for the reason that negligence or recklessness of a workman involved the safety of other besides himself. For that reason alone he would have supported the retention of the words. At the same time he thought the Home Secretary had proposed to draw a very sound distinction in making an exception in cases where the workman had lost his life. It was impossible to conceive that a man was likely to be so reckless as to court his own death. He would, therefore, support the arrangement proposed by the Home Secretary.

*SIR CHARLES DILKE (Forest of Dean) said the right hon. Gentleman the Member for the Hallam Division had stated that he was astonished that workmen should have attached so much importance to their opposition to the inclusion of these words in the original Ridley Bill, and that they should now be anxious to leave them out. The right hon. Gentleman had admitted the hardness of the case where a man was killed. When the proposal to put these words in the original Bill was argued, their case was that it would not be real misconduct that would be hit by the words, but breaches of special rules, and what was now proposed showed that every word they said then, though contradicted at the time, was true. The House of Commons ought to be careful how it acted on mere Government assurances in matters which affected life and limb.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) hoped the House would see its way to accept the suggestion of the Home Secretary. He thought the only obstacle in the way of the general acceptance of the suggestion was the one stated by the hon. Member for Merthyr Tydvil. The general principle which he enunciated was that workmen did not desire the law to provide compensation for men who had by wilful misconduct brought upon themselves the calamities which attended their acts. No one desired that the law should provide solatium for a man who was guilty of wilful misconduct. But in the case of misconduct which had a fatal result two new principles came into play, both of which operated in the determination of the question of compensation. In the first place there was the principle that the lips of the man who was the victim of what was said to be his misconduct were closed; he was no longer a witness in the case as to the degree and character of the misconduct which had to be determined, and therefore he was not able to clear himself from any reproach which might be made upon him. The other principle was that the solatium they were providing was not solatium to the man who had the misfortune to meet his death because of an act amounting to misconduct, but solatium to the innocent person or persons he left behind him, and who did not participate in his reprehensible conduct. It was said that was illogical. Logic had long ago gone in legislation of an exceptional kind. This was altogether exceptional legislation, dealing with a class of the community which had been considered by a whole series of statutes founded on grounds of humanity to have a claim to such special treatment as the principles of justice would allow. The hon. Member opposite had simply said in a different way what he had endeavoured to convey to the House. The hon. Member said that the difficulty was that the misconduct was not really serious although so understood by Courts of justice, and the result had been that injustice had been done. He did not think that the adoption of this compromise would remedy the case of which the hon. Member complained. He had suggested that the Government should frame new words which might discriminate between misconduct in the nature of omission, and misconduct in the nature of commission. He personally doubted whether that could be done. He had failed to find any such formula. Every act, or nearly every act, was an omission if regarded from one point of view, and a commission if regarded from another. In his opinion the words "serious and wilful" applied to the misconduct whether it was in the nature of an act of commission or omission. He did not think it was possible to frame words which would enable that discrimination to be defined in such a way as would effect the result which the hon. Member desired. Everything depended on the gravity or importance of the rule of which there had been a breach. If it was a rule on which human life depended—if it was a serious rule—then the wilful violation of that rule, whether it was an act of omission or commission, was "serious and wilful" misconduct.

*MR. FENWICK said that as one who had taken an active interest in opposing the Amendment of the Bill of 1896 which became an Act in 1897, he confessed that he should have liked to have seen the Home Secretary prepared to accept this Amendment. It was quite true what his hon. friend had said that this provision was not in the first Bill, and it was clear that the original promoters of this kind of legislation did not consider that such a provision was necessary at all. In the opposition which he urged to the adoption of the Amendment moved in 1897 by Mr. Seton-Karr, then Member for St. Helens, he was strongly backed by the legal Members of the then Front Opposition Bench, and by none more strongly than by the present Chancellor of the Exchequer. Mr. Seton-Karr's Amendment was—

> "The employer shall not be liable under this Act to pay compensation to any workman by whose wilful and wrongful act or default the accident arises in respect of which compensation of injury may become payable."

With the permission of the House he would read an extract from the speech then made by the present Chancellor of the Exchequer. The right hon. Gentleman said—

> "Speaking for himself alone, he felt the greatest regret that the Government had adopted the Amendment. He admitted that the matter was one of very great difficulty, and felt that it would be absurd to dogmatise about it; but it appeared to him that the introduction of words like these involved a departure from the fundamental principle of the Bill."

That was what they all felt. And the right hon. Gentleman went on to say—

> "This Bill was not started from any idea of moral obligation, as it made an employer liable for accidents for which he was not directly responsible, simply because in the general interest and the interest of trade it was necessary to make provision for injured people. But now the Government were introducing in the case of the workman a moral obligation, and opened the door to an inquiry as to what were the circumstances under which an accident happened, and how far the conduct of a man was a breach of a statutory obligation."

He would remind the Government that nothing could be stronger than the language of the present Chancellor of the Exchequer in opposing Mr. Seton-Karr's Amendment, and for the life of him he could not see how they could consider themselves under an obligation to stand by words which one of their leading leaders considered were a violation of the principles of the Bill of 1897. He made an appeal to the Home Secretary that if he could not see his way on behalf of the Government to accept the Amendment moved by his hon.

friend, he should leave the matter an open question and allow the House an opportunity of dividing freely and untrammelled by the Government Whips.

VISCOUNT MORPETH (Birmingham, S.) said that the suggestion of the Home Secretary had not been supported by any logical argument. The hon. Member for Wansbeck had said that they were importing moral considerations into this measure by penalising the workman who, by his own act brought misfortune on himself. But if the words of this sub-section were omitted the effect would be that the rules made for the safety of the workmen in any factory or colliery might be regarded as rules which could be lightly broken. He maintained that were the rules absolutely necessary for the safety of life they should be strictly enforced. The Home Secretary had suggested to the House a compromise, but he agreed with the Attorney-General that there was no argument by which that compromise could be defended. It appealed frankly to sentiment and to sentiment only—that a man had already been sufficiently punished for misconduct by his death. He maintained that it was to the benefit of both employer and workman and to industry as a whole, that workmen should be encouraged to believe that rules were made to be observed, and that they could not be lightly broken without the responsibility falling upon them.

MR. LUPTON (Lincolnshire, Sleaford) wished to thank the Government for the concession they had made in regard to fatal accidents, but he thought they might have gone a step further and extended the provision to permanent injuries or injuries which totally incapacitated a man from earning a living. He represented a considerable number of employers who attached no value whatever to the rule excluding compensation to workmen who happened to break a rule. His idea was that all men injured in any way should be compensated.

MR. J. WARD (Stoke-on-Trent) desired to add a word or two for the purpose of trying to induce the Home Secretary, who had gone a good way in the direction of meeting the wishes of Labour Members, to go a step further to meet particular cases. The sub-section as it stood really re-enacted the antiquated doctrine of contributory negligence. There was a rule in some collieries that no one was to ride in a waggon, and there was a case in South Wales in which the County Court Judge decided that where some lads who had ridden in a waggon to get to the shaft in order to return to the surface had met with an accident and been seriously injured—in fact he thought some were killed—they had been guilty of wilful misconduct and a gross breach of the rules of the colliery, and therefore he refused compensation. He knew that many similar cases had been decided in the lower Courts against workmen in a similar fashion. He also knew that trade unions had advised their members that this section would prevent them from getting compensation. The noble Lord beside him had called attention to the previous sub-section (b); but he had not read the whole of it. It provided that when the injury was caused by the personal negligence or wilful act of the employer, certain things should occur, but the noble Lord did not read on to the part which said what would occur. The sub-section went on to say that the workman might in that case at his option either claim compensation under this Act or take proceedings under the Employers Liability Act, which gave a higher scale of damages. Therefore the position was not so illogical as it appeared, although no doubt the Compensation Act of 1897 was illogical, because if a man earned thirty shillings a week the Act said that he should only receive fifteen shillings. He thought that this particular sub-section should be removed, because although it only affected a few cases it inflicted a positive hardship. He therefore hoped that the Government would give way on the point.

MR. GLADSTONE said that after what had been said it was clear that they must modify this sub-section. The Government did not insist on retaining the actual words of the sub-section. He proposed to add words which would provide that compensation shall be disallowed in the case of serious and wilful misconduct of the workman "unless the injury result in death or serious and permanent disablement."

MR. WALSH in view of the concession which the right hon. Gentleman had made said he wished to withdraw the Amendment.

MR. SHACKLETON (Lancashire, Clitheroe) said he understood the right hon. Gentleman to say "serious and permanent disablement," but he thought the words should be "serious or permanent." An injury might be serious in one sense, but it might not be permanent. It might also be a permanent disablement and still not a serious one.

Amendment, by leave, withdrawn.

MR. GLADSTONE formally moved the addition of the words "unless the injury result in death or serious and permanent disablement."

Amendment proposed to the Bill—

"In page 2, line 8, after the word 'shall,' to insert the words 'unless the injury results in death or serious and permanent disablement.'" —(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. COCHRANE thought he had a grievance. He should have supported the right hon. Gentleman in his first concession, but he doubted whether the second concession was not too large. The right hon. Gentleman had seriously extended the scope of his proposal. He did wish that occasionally the Home Secretary would stick to his guns. He was in the Committee upstairs, and what happened there was that the Solicitor-General nailed his colours to the mast, and the right hon. Gentleman said that they were so nailed. Then somebody would criticise the action and straightway the Under-Secretary was sent to the masthead to pull down the colours from the mast to which they were said to have been nailed so firmly. The right hon. Gentleman had in the first place made a proposal with which he agreed, but further pressure having been brought to bear upon him he did not stick to his guns, but said: "Let us extend the provision to serious and permanent disablement." He therefore considerably widened the scope of the Bill, but he had given no reason for doing so, or for departing from his original proposal after a most eloquent argument on the part of the Solicitor-General in favour of it. He was placed in this difficulty, that while he was inclined to support the hon. and learned Gentleman on the first Amendment, he thought the second went too far. He thought the hon. and learned Attorney-General might explain what, from his point of view, would be the effect of this section, and thus remove the cloud of doubt which obscured the minds of many hon. Members of the House.

*SIR JOHN WALTON thought the hon. Member would realise that it was better to have this clause in its modified condition than not to have it at all. The alternatives were whether the Amendment to strike out the clause altogether should be accepted by the House, or whether the clause should be modified so as to meet the views of those who supported the Amendment. As the matter now stood the clause was not unreasonable. All agreed that if deliberate wilful and serious misconduct had occasioned a misfortune in regard to which the sufferer sought compensation, he had deprived himself of all moral and legal claim for compensation. But though they might approve of that as a general principle there were exceptions to every rule. One exception had been mentioned by an hon. Member opposite, namely, where the misfortune had been so terrible that it had cost the man his life. There were other misfortunes almost as terrible and difficult to deal with which might result in injuries so severe as to involve a living death almost worse than death itself, and this class of misfortunes seemed to demand some humane consideration. The exception that had been so far created was not more legally or logically defensible than that which would be created by allowing the exception to apply to an injury short of death. One might fairly ask, whether without introducing any large exceptions to the general principle, they might not extend some consideration to the unfortunate individual in an accident to which he had contributed by his own misconduct. It, of course, would have to be a serious accident. They would not have to deal with a trifling accident which resulted in the loss of a finger or of even the left hand; it would have to be a serious permanent injury. And when it came to a case of life-long suffering and of a man being permanently disabled from following his calling, he thought they had a case which was entitled to consideration and relief.

*MR. COURTHOPE (Sussex, Rye) said the House in his opinion had come to a very extraordinary pass in this matter. The Attorney-General had made a most unusual statement from the Treasury Bench. He had asked the House whether it was not better to have the clause in a modified form than not to have it all. They had to choose between two alternatives, therefore, either not to have the clause at all or have it in a modified form. Why should they not have the Government clause as it stood? Had the House come to such a state as this? He congratulated hon. Members below the gangway——

SIR JOHN WALTON: I said that the proposal was to omit the clause altogether. If the hon Member had been in the House as long as some of us he would know that when there is a proposal to omit a sub-section it is very often met by a suggestion to amend it, and in that way a satisfactory solution is frequently arrived at.

*MR. COURTHOPE said the words of the Attorney-General only gave one interpretation, and they certainly led the ordinary listener to the conclusion that there were only the two alternatives. He was certain that hon. Members around him also put the same meaning on the words of the hon. and learned Gentleman. However, if the Attorney-General assured him that he had no such thought in his mind, he would not press that point. The right hon. Gentleman the Secretary of State for the Home Department had indeed changed his guns. He began by declining to accept the Amendment of the hon. Member for South Lancashire to do away with the clause which he, in common with so many hon. Gentlemen, believed had acted as a deterrent. But as the debate went on and Member after Member spoke in favour of the Amendment the right hon. Gentleman gradually gave way. He first promised a limitation to compensation in the case of death, and a little later another limitation to give compensation in the case of permanent and serious injury. The hon. and learned Attorney-General said that the injury must be serious and permanent, and declared that the loss of a finger or of the left hand would not be a serious or permanent injury. To many people the loss of a finger, and certainly the loss of a hand, would be a very serious injury, and no one could deny that it was a permanent injury.

SIR JOHN WALTON: I withdraw the hand.

*MR. COURTHOPE said he pressed the finger. In many trades the first finger of the right hand was as important as the whole left hand, and he believed that any Court would probably hold the loss of the first finger of the right hand to be a serious and permanent injury. That did away with the argument, with which the hon. and learned Attorney-General had tried to cover up the process of "climbing down" by his colleagues, and his suggestion that it would apply to only a very few cases of complete and permanent disablement. As a matter of fact it would apply to an enormous number of cases. Would the Under-Secretary for the Home Office, who earlier in the evening had given the House an interesting statistical speech as to the probable increase of premium for insurance, give the House any idea of the increase in premium for insurance which these Amendments accepted by the Home Secretary would cause? Personally he (Mr. Courthope) believed it would be an enormous increase. Hon. Members would admit that it might very likely be held to apply to loss of a finger or hand, and if that were so insurance companies would have to bear that in mind. Was not the increase in premium likely to be enormous, and would not the Amendments have a more far-reaching and disastrous effect than the right hon. Gentleman suspected when he suggested them in order to satisfy the views which the Labour Members so ably expressed? He hoped the Under-Secretary would give some statement about this—he was a great authority on such matters—and if he said it would be a certain figure the House would be inclined to accept his statement, but it could not accept the suggestion of the hon. and learned Attorney-General. He thought they were justified in raising a protest against such a change being made by the Government without the slightest warning to those who happened not to be in the House at the time and who, had they been there, would have raised strong objections.

MR. MARKHAM appealed to the hon. and learned Attorney-General to go a little further in this matter, because the House was drifting into a very bad state of affairs. If they gave compensation, in the case of a man who met his death in his calling, to the widow and the child, and if they gave compensation to a man for permanent disablement, surely they could give compensation for any kind of accident. In every other country in the world—certainly in Germany at any rate—compensation was given to every man who met with an accident in his calling irrespective of whether it was by reason of his own misconduct or not. The hon. Member had referred to the great increase of cases which was likely to take place if this Amendment was accepted. He was connected with the employment of many thousands of miners, and during the whole of last year there was not a single case that came before his notice where a company pleaded this clause to avoid giving compensation. As the Government had gone so far why could not they go the whole hog and give compensation in all cases of injury? If such a change was not made the clause would be a cause of more litigation than there had ever been before. After all, what constituted a serious accident? He would say that the loss of a hand or a finger was serious injury. The hon. Member for Clitheroe had asked whether the Government proposed that their Amendment should refer to accidents resulting from misconduct that was "serious and wilful" or misconduct that was "serious or wilful," and the Attorney-General said the former expression was the correct one. To prevent any ambiguity it was surely much better when the House had the opportunity that they should quite clearly lay down what was the intention of Parliament. He believed the clause as drawn would give a workman the right to compensation who met with a serious accident. It would be very much better that the Government should accept what was the law in every other country but this, because he did not know of a single case where a man had allowed himself to meet with an accident in order to get the compensation.

MR. F. E. SMITH said it had been pointed out already in the course of these debates that this Bill was not a Party one, and the speech just delivered showed very clearly, if additional illustration were needed, the great difference of view which existed in the various parts of the House. On the particular issue before the House he accepted absolutely the speech of the Attorney-General, and thought the solution which had been adopted by the Government was on the whole the one which would give rise to fewest difficulties and fewest injustices. Under the present law if there was serious and wilful misconduct the workmen could not recover from his employer. They were confronted first of all with the serious difficulty that one County Court Judge had differed from another in the determination of what was serious and wilful misconduct. The Court of Appeal had repeatedly decided that it was in every case a question of fact for the County Court Judge to determine, and it had been decided in one sense by one County Court Judge and in another sense by another County Court Judge. They were met in the present Bill by a proposal for which in the abstract there was a great deal to be said, though he thought the Government were right not to accept it unreservedly. The proposal was to get rid of the ambiguity by striking out all these words. That proposal made for simplicity, and so far as that went he was in favour of it, but there was a reason against it which he thought had weighed with the Government, and it was not a reason which made the present position of the Government one which a self-respecting Government need be ashamed to adopt. The point of view which appealed to him so strongly was this: a workman would not commit a breach of rules for any improper motive if the result of that breach was likely to inflict upon him permanent disablement or death. The Legislature, however, was not only entitled, but bound, to provide against cases where a man might well say, "Whatever happens is a trivial matter, and I shall get compensation." But to say that it was necessary in the case of where a man's life or limbs were concerned was flying in the face of all human experience. For these reasons he believed the solution of the Government was the best. He rather regretted on one ground the actual words used, because there had been many conflicting decisions as to what the word "serious" meant. One County Court Judge might regard the loss of a finger as a serious disablement, whereas another County Court Judge might not so regard it, and the Court of Appeal would not interfere because they would say it was a question of fact. If the Attorney-General would substitute some word with a more definite meaning he would without reservation be ready to agree to the position the Government had taken up.

MR. GLADSTONE: The suggestion will be considered.]

*MR. JOHN WILSON (Durham, Mid) thought the Government might go a step further and take out the clause altogether. The general consensus of opinion seemed to be that the Government should go further than they had gone. It was well known to those who had to deal with accidents to working men that that which appeared only trivial at the time often developed into very serious permanent disablement. In such a case the question arose in his mind whether the man would have to go to the Court to have revised the judgment which regarded his injuries, in the first place, as trivial, or whether the County Court Judge would have power to say that the man was permanently injured and ought to have had compensation from the first. Another thing which induced him to think the Government might have gone further was that the number of cases left to be dealt with was very small indeed. He knew the fight they made in 1897 in order to prove that this section should never have been in the Act. He was surprised to hear the argument as to a man lighting his pipe in a mine and causing explosions which consequently deprived the man and a large number of his fellow-workmen of their lives. There was the prior consideration to be taken into account, namely, that the owner of a mine which was in such a state that it contained constantly an explosive mixture deserved to be tried for manslaughter. He had the Report of the working of a Committee under the present Compensation Act showing the results of six years operation of the Act. It was the Report of the Durham Miners' Mutual Protection Association, and the Durham Miners' Association, according to which there had been 39,623 cases under the Act in the six years, and all of them had been either paid or disputed. Inquiries showed that in that district there had been only seven fatal and seven non-fatal accidents in Court. Consequently there would only be seven cases under this provision in the largest coal-producing county in this country if all were trivial. If the experience of his own county was on a par with other counties there was very little to fear. He assumed that a few out of the seven would be permanent cases, and not all trivial, and it would be quite fair to eliminate a portion of the seven. If he eliminated only two that would leave five in the county of Durham. A great deal had been said about violating rules. His opinion was that the first consideration of the men should be the preservation of and obedience to the rules. No man ought to hesitate in the least about impressing upon every workman the importance of carrying out strictly the rules. There was an old proverb that "familiarity breeds contempt," and there was no place he knew of where that proverb held good so much as in a mine. Before the Compensation Act of 1897 the maintenance and enforcement of the rules were not so strict, and the men broke the rules because there was no serious financial consequences behind. Consequently the men became familiar with danger and exhibited a contempt for it. The forced observance of the rules had brought about a much better state of things. He thought that having gone so far the Government might go a little further, and leave this sub-section out altogether.

SIR ROBERT ROPNER (Stockton) said that exactly what happened in the Grand Committee was happening on the Report stage. The Labour Party section of the Grand Committee said that the proposals of the Government would not do for them, and they brought pressure to bear, and, although the Home Secretary said that nothing could be done, the Government gave way. That happened not once on the Committee, but over and over again, with the result that the Bill they were now considering was vastly different from that which the Home Secretary first introduced. Exactly the same thing was now happening on the Report stage. The first exception made to serious and wilful misconduct was in case of death, in order to provide that those left behind should be allowed to benefit under the Bill. Now they were being asked to consent to "serious and permanent accidents," and he would like to know where they were going to stop. In making further concessions to the Labour Party the Government were acting unfairly towards employers and in a way that was derogatory to their own dignity. It was not fair to keep on altering the Bill under continued pressure. He thought the words "serious and permanent accidents" ought to be eliminated altogether. He felt that they must draw the line somewhere, and in these matters they ought to be just not only to the employees, but also to the men who had invested their capital.

MR. JOHN O'CONNOR (Kildare, N.) said he was surprised at the indignation which had just been displayed by the hon. Member for Stockton and the attack he had made upon the Grand Committee. He had stated that the alterations made in Committee were carried either with the consent or the connivance of the Government. He would like to point out that the important principles embodied in the Bill by the Committee were inserted against the wishes of the Government. Therefore, there was no good ground for the indignation shown by the hon. Member for Stockton. Upon this point he was in agreement with the hon. Member for Mid Durham. If the words they were now discussing were inserted the sub-section would not be worth retaining at all. He thought it would be more courageous to take the bull by the horns and let the sub-section go altogeher.

SIR FREDERICK BANBURY (City of London) said no stronger speech could have been made against the Amendment than that which had been delivered by the hon. Member for Mid Durham. He had stated that it would be very difficult to prove whether injuries were serious or not, and that was an argument against putting in these words. His hon. and learned friend the Member for the Walton Division of Liverpool had told the House that county court judges held different views as to the interpretation of the word "serious," and that was another argument against the Amendment. The words which had been proposed would lead to any amount of litigation. The Government Amendment would lead to all the evils which the hon. Member for Mid Durham did not wish to see made possible. If the clause stood it would indicate to a working man that if he was not careful, if he did not pay regard to the serious rules laid down for his guidance, and if, owing to his wilful neglect he suffered an accident, he or his family would not get compensation in case of injury, and the result would be to give him some encouragement not to commit a breach of the rules. If, as the hon. Member had said, very few cases had arisen under this sub-section, why delete it or do anything which would minimise its force? There could be no object in doing so from the point of view of working men, but there was an object from the point of view of those who desired that rules should be obeyed. If people were encouraged to break rules, they would be encouraged to incur risks which everyone in the House desired that they should not be encouraged to incur. Looking at the matter as a business man, he could not conceive what object the Government had in inserting these words. Rather than put in the words, it would be much better to delete the clause, but he believed the clause ought to remain.

Mr. R. DUNCAN (Lanarkshire, Govan) said that in the long run it was by common sense and good feeling that they had to be guided. He appealed to his hon. friends not to take a course tending to relax discipline in such a way as to encourage recklessness which would lead to greater danger than existed. As business became more complex, and as those engaged in industrial concerns had to deal more frequently and intimately with the great forces of nature, there must of necessity be more regulations and more attention to rules. Was it not a false position to take up to say that a man who transgressed deliberately, thoughtlessly, or recklessly, the rules by which the business in which he was engaged was conducted, should be on the same footing as the man who obeyed the rules, and who did not endanger his own life or the lives of those who worked along with him? If a man was permanently disabled through having failed to obey the regulations of the establishment with which he was connected, and if for that reason he only received half pension or a modification of what otherwise he would have been entitled to, that condition of the law would be a warning to him not to break rules framed for the protection of himself and others.

Mr. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said he wished to protest strongly against the idea that a man would commit a breach of the rules when he did not know the extent of personal injury that would ensue, simply to get compensation. It was too mean for a body of hon. Gentlemen to think of for a moment. He protested with all his heart against such an idea. He was full of gratitude to the Government for what they had done, and as they had done so much he appealed to them to delete the sub-section altogether. He was chairman of an organisation which had 100,000 members, and agent of a district with 30,000 members, and he did not know of one case where they had been face to face with the position which had been suggested. The Government would not save a five-pound note by keeping the sub-section in the Bill, and he was sure many Members would like to see it taken out altogether.

Mr. C. DUNCAN (Barrow-in-Furness) said that the only assumption on which one could understand the arguments that had been used was that a man would go to his work in the morning in the hope that he would be killed for the benefit of his wife and children. A man who wanted to commit suicide would not go to work to do it. In ninety-nine out of 100 cases in which a man was killed or injured owing to his own wilful misconduct the expense was thrown on the boards of guardians. He held that the employers should bear that expense.

Question put.

House divided:—Ayes, 286; Noes, 27. (Division List No. 454.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W.C.B. (H'xhm
Beck, A. Cecil
Bell, Richard
Benn, W. (T'w'r Hamlets, S.Geo
Bertram, Julius
Bethell, Sir J.H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordsh.
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Brunner, Rt. Hon. Sir J.T.Ches
Bryce, Rt.Hn.James (Aberd'n
Bryce, J. A. (Inverness Burghs
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas

Causton,Rt.Hn.RichardKnight
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Collins,SirWm.J.(S. Pancras,W
Cooper, G. J.
Corbett,A.Cameron (Glasgow)
Corbett,C.H.(Sussex, E.Gr'st'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St. Pancras,N
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Msater of
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Fell, Arthur
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Hardie,J.Keir (MerthyrT'dvil)
Harmsworth, Cecil B. (Worc'r)
Harmsworth,R.L. (Caithn'ss-sh
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert,Colonel Ivor (Mon., S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hope,W.Bateman (S'm'rset,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kincaid-Smith, Captain
Laidlaw, Robert
Lambert, George
Lambton,Hon. Frederick Wm.
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Leese,Sir Joseph F. (Ac'ngt'n)
Lever,A. Levy (Essex, Harwick
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald,J.M. (Falkirk B'ghs
Maclean, Donald
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeigh,Charles (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Marks,G.Croydon (Launceston)
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Mooney, J. J.
Morgan, J.Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Donc'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans.
Nuttall, Harry
O'Brien,Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly,James (Roscommon,N
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pease,Herbert Pike (Darlingt'n
Philipps,Col.Ivor (S'thampton)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Powell, Sir Francis Sharp
Power, Patrick Joseph
Price, C. E. (Edinburgh, Centr'l
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford
Redmond, William (Clare)
Richards, T. F. (W'lv'rh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Rogers, F. E. Newman
Runciman, Walter
Samuel,Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann,Sir C. E. (Manchester
Scott,A.H.(Ashton under Lyne
Seddon, J.
Shackleton, David James
Sherwell, Arthur James
Shipman, Dr. John G.
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smith,F.E. (Liverpool, Walton
Snowden, P.
Soares, Ernest J.
Spicer Sir Albert
Stanley,Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan,E.
Thomas,David Alfred (Merthyr
Thompson,J.W.H. (S'mers't, E
Thorne, William
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Vivian, Henry
Wadsworth, J.

Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarthn
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh., N.
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Ashley, W. W.
Balcarres, Lord
Banner, John S. Harmood-
Butcher, Samuel Henry
Carlile, E. Hildred
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Chance, Frederick William
Coates, E. Feetham (Lewisham
Cory, Clifford John
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Du Cros, Harvey
Finch, Rt. Hon. George H.
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hervey, F.W.F. (BuryS.Edm's
Kimber, Sir Henry
Lonsdale, John Brownlee
Magnus, Sir Philip
Markham, Arthur Basil
Mason, James F. (Windsor)
Moore, William
Morpeth, Viscount
Parkes, Ebenezer
Sassoon, Sir Edward Albert
Talbot, Ford E. (Chichester)

TELLERS FOR THE NOES—Sir Robert Ropner and Sir Frederick Banbury.

VISCOUNT MORPETH moved the addition of the following words—

> "Insobriety or the wilful breach of any rule printed and published by the employer for the safety and protection of his workmen, shall be serious and wilful misconduct within the meaning of this Act."

He said the Law Courts put many interpretations upon what constituted wilful and serious misconduct. Therefore he proposed that they should define as far as they were able what it consisted of. He should say that wilful misconduct was a deliberate and intentional breach of the rules framed not only for the safety of the man himself but also for the safety of his fellow workmen, such as the regulation against carrying a naked light in a mine. He thought it would be a very great advantage if the Legislature were deliberately to put in the Statute that the wilful breach of rules should be wilful and serious misconduct within the meaning of the Act. Then he had also put the word "insobriety" into his Amendment because it was manifestly unjust and unfair that when a man, in a condition of drunkenness and unable to control himself, met with a serious accident, his employer should have to pay him compensation. It was unjust and unfair to charge upon the employer an accident which a man owed to his own want of self-control and his lack of character.

MR. HARMOOD-BANNER (Liverpool, Everton) seconded, and said it was absolutely incumbent that employers should have some means of maintaining discipline in their works, but so long as the Bill stood as it did at present there was nothing to enforce obedience to rules which were necessary not only for the protection of the man himself but of the men generally. These rules were made for the safety of the employees, and not, as hon. Members were constantly suggesting, for the purpose of relieving the employers' pockets. Insobriety was a very serious thing in a workman, and it was frequently displayed, especially on board ships and on the quay when sailors came down at the last moment and shipped in a state of drunkenness. The employers ought to be given some kind of influence over the proceedings of their men, and therefore he hoped the House would accept the Amendment.

Amendment proposed to the Bill—

"In page 2, line 8, at the end, to insert the words 'Insobriety or the wilful breach of any rule printed and published by the employer for the safety and protection of his workmen shall be serious and wilful misconduct within the meaning of this Act.'"—(*Viscount Morpeth.*)

Question proposed, "That those words be there inserted in the Bill."

MR. GLADSTONE did not think the noble Lord had realised how far the Amendment carried him. Under it an employer might put up a notice that no workman employed should do anything which would lead to an accident, and then if an accident occurred the employer might escape liability. He would remind the House that this proposal, although not in so many words, was before the House in 1897, but was not adopted. It was proposed by the Government, but on consideration they withdrew it. The present Government could not under any circumstances accept it. The Departmental Committee condemned the proposal and expressed the opinion that it would be unwise to lay down any hard and fast rule of this kind. It might be that the use of a naked light in a fiery mine would be wilful misconduct, but it seemed an injustice to deprive the Court of the power of looking at all the surrounding circumstances in order to see if the act was capable of some explanation.

MR. HARMOOD-BANNER: Will the right hon. Gentleman accept the word "insobriety?"

MR. GLADSTONE: No, Sir.

MR. F. E. SMITH, while he thought his noble friend was justified in bringing forward his Amendment, said there were numerous legal decisions which rendered it unnecessary. It had been decided over and over again that the breach of a rule by carrying a naked lamp was wilful misconduct. It had also been held that no cleaning was to be done unless machinery was stopped, and he could give case after case where in reference to the breach of a special rule the Courts had had no hesitation in deciding that that was wilful misconduct within the meaning of the Statutes. His hon. friend had also raised the question of insobriety, but anybody who had given the least attention to these cases knew perfectly well that the decisions showed clearly that if insobriety was of a degree or kind which could be said to be wilful misconduct it would be covered by those words, and any such Amendment as that now proposed would only introduce confusion into the existing law. Therefore he hoped the Amendment would not be pressed.

*MR. GILL (Bolton) said he wished to call attention to one case with which he had had to deal resulting from a notice put up in a cotton mill. A short time ago he had to make a claim for compensation for a person injured in his own town. He had been injured while cleaning machinery in motion. Notices were put up in the mill stating that this was forbidden, but the overlookers were nevertheless constantly seeing it done. The employers would not as a matter of fact allow the men to stop the machines in order to do the cleaning. Under those circumstances they refused to pay, whereupon he said: "We will see to it in future that there is sufficient time allowed for the machines to be stopped in which the cleaning can be done." The result was that instead of having the machinery stopped, they paid. It had been a constant thing for machinery to be cleaned while in motion under certain conditions. The notice was, however, put up in every mill in Lancashire and considered as a rule, yet it was winked at by the employers. Under these circumstances he hoped the Goverment would not accept that Amendment.

MR. AUSTEN CHAMBERLAIN said he was not one to treat disobedience to rules too lightly. A breach of the rules might affect not only one man but also a number of his fellow employees who had nothing to do with the breach. But he thought the Amendment went far beyond anything the House should sanction, and would be destructive of a good deal that was good in the parent Act.

Amendment, by leave, withdrawn.

MR. HARMOOD BANNER moved an Amendment with the object of making it compulsory instead of permissive for a Court to deduct the costs caused by a plaintiff bringing an action for damages against an employer instead of proceeding under the Bill for compensation. He asked the right hon. Gentleman to accept this Amendment which really placed the Bill in the position in which it was when before the Committee. It was necessary because this Bill would no doubt open the door to a great deal of litigation. It was possible under the present law to proceed against employers in three separate Courts. If the employer won in one of the Courts and proved that the claims was wrongfully brought in that Court and the workman subsequently won under the Workman's Compensation Act the employer had no right to set off the costs of the first action against the amount he had to pay as compensation. That did not seem to be either justice or equity, and he hoped he would carry the House with him when he proposed that they should make it impossible for such actions to be brought. They must protect the employer poor though he was. He begged to move.

MR. CORY seconded the Amendment, because he thought that if a workman brought a speculative action with a view to getting compensation under the Employers Liability Act he ought to be compelled to pay the costs when he lost. It seemed to him that if costs were not to be obtained it would be an inducement to enterprising solicitors to go round and find workmen whom they could induce to start an action of this kind. The hon. and learned Member for Mid Glamorganshire had thought proper to say that he should not support these Amendments because he was an interested party. He was not at all ashamed to admit that he was an employer. Furthermore he was a Member of the Mining Association of Great Britain, and he thought it was only fair that the Mining Association of Great Britain as well as all the other employers in this country should have an opportunity of putting their views before the House. The hon. and learned Gentleman had the audacity to make that statement in the face of hon. Gentlemen opposite who were there not to represent the interests of the general community, but were paid by the workmen's associations. [AN HON. MEMBER: By whom are you paid?] He was not paid by anybody. He maintained that hon. Gentlemen opposite represented workmen's unions.

*MR. SPEAKER. This does not seem to be very relevant.

MR. CORY said he had been attacked on this question, and he thought he was justified in making this personal statement. The House in the main seemed to be with him in thinking that the employers' views should be represented, though there were no hon. Members in this House representing employers simply and solely. He had much pleasure in seconding the Amendment.

Amendment proposed to the Bill—

"In page 2, line 25, to leave out the word 'may,' and insert the word 'shall.'"—(*Mr. Harmood-Banner.'*")

Question proposed, "That the word 'may' stand part of the Bill."

SIR W. ROBSON said the point was a very small one and was decided in Committee, he believed, unanimously. Both hon. Members who moved and seconded the Amendment appeared apprehensive lest the legal element in the House should encourage Amendments which might afterwards lead to litigation. He assured the hon. Members that there was no intention whatever on the part of even the most self-interested lawyer to encourage such Amendments. Other Members in the House did that for them. Regarding the Amendment, he would point out that in the Bill, as it stood, if a workman brought an action under the Employers Liability Act and failed, the Court was given the discretion to deduct from the compensation that they might give him the costs of his abortive action. The Amendment proposed that the Court should be obliged to make a deduction. Was that just or fair? The Government proposed to leave it to the Court to judge all the circumstances.

MR. SAMUEL EVANS said the piece of advice he had ventured to give his hon. friend the Member for St. Ives was based upon the fact that lawyers were very often attacked in this House for pursuing their own interests. He had never known a case, however, where a lawyer had argued the cause of an Amendment in order that he might have litigation arising out of that Amendment if carried. As regarded this Amendment he thought it was right that in the interest of all parties discretion should be given to the Court. No one could say that the discretion had been in any way abused during the last nine years. The effect of anything else would be that people who had a good ground for a common law action might be deterred from bringing it. No one who had followed the Courts would venture to argue in favour of this Amendment.

MR. HARMOOD-BANNER asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

*MR. CLAVELL SALTER (Hants, Basingstoke) moved to leave out in line 38 the word "maintainable" and to insert the words "commenced except by leave of the Court." The workman had always been treated by the Courts with great indulgence with regard to notices, but the difficulty was that the question whether some technical omission made by the workmen would be fatal or not to his claim could not, under the Bill as it stood, be decided until the claim came before the County Court Judge for trial. When an omission of that kind had been made by the workman a great deal of time would be saved if the parties were able to go at once to the County Court Judge, and have the matter decided. It was said that the object of this Bill was to remove the blots from the Act of 1897, and he thought the point he had raised was a blot which ought to be removed. He begged to move.

LORD R. CECIL (Marylebone, E.) formally seconded.

Amendment proposed to the Bill—

"In page 2, line 38, to leave out the word 'maintainable,' and to insert the words 'commenced except by leave of the Court.' "—(*Mr. Clavell Salter.*)

Question proposed. "That the word 'maintainable' stand part of the Bill."

SIR W. ROBSON said the effect of the Amendment would be very serious indeed. As the Bill now stood any defect or omission on the part of the workman in the prosecution of his claim would be considered at the hearing when the Judge would be acquainted with all the facts of the case. The Judge would be entrusted with a very wide discretion to waive all technical omissions, and he could consider the matter in a way which would not be possible unless he had the whole case before him. Under this Amendment attention would be concentrated on some technicality, and he felt sure that all who had given careful attention to this subject would agree with him that it was far the best course to give the Judge power to waive technicalities. It would be placing a serious burden upon workmen if claims for compensation had to be extended and multiplied by separate applications to the Court before the trial of the action itself actually began. That would be a most undesirable state of things, and he hoped the House would reject the Amendment.

MR. LYTTELTON (St. George's, Hanover Square) said he did not take the same view of this Amendment as the Solicitor-General. His hon. and learned friend had pointed out from practical experience that it frequently occurred when a claim came on for hearing and some technical omission on the part of the workman was raised the Judge disallowed the claim altogether. It was obvious that in a good many cases the workman would be put to very serious expense in getting up his case and bringing forward witnesses, and the whole cost of that would be thrown away if the technical objection succeeded. A technical defect could be easily shown in the first instance, and the process would not be expensive.

Amendment negatived.

*MR. CLAVELL SALTER moved to omit the words "as soon as practicable" and to insert the words "within fourteen days." What he proposed to leave out was a loose and unsatisfactory expression which had given rise to a great deal of litigation that could be easily avoided. He entirely agreed with the view of the Departmental Committee that it would be far better to fix a period after which it would be incumbent on the workman to show cause. He thought fourteen days ample time, unless the county court was of opinion that it might be exceeded.

Amendment proposed to the Bill—

"In page 2, line 39, to leave out the words "as soon as practicable," and to insert the words "within fourteen days."—(*Mr. Clavell Salter.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR W. ROBSON expressed the hope that his hon. and learned friend would not press the Amendment. The words "as soon as practicable" were of a somewhat elastic character, but to substitute a definite period might result in hardship to a workman who happened to exceed the fixed date. If the Amendment were accepted, and a workman gave notice of injury on the fifteenth day, then, save so far as the Court exercised its dispensing power, the claim would be absolutely barred.

Amendment negatived.

*MR. GIBBS (Bristol, W.) moved an Amendment providing that the claim for compensation should be made "in writing." It would be more satisfactory for all parties if the claims were made in writing. There were good employers and good workmen, and the reverse, and it was certain that good employers and workmen would prefer that claims should be made in writing. It was possible to conceive that the notice of an accident might not reach an employer in certain circumstances unless it was made in writing. He thought it was reasonable to ask that the claim should be made in writing.

MR. HARMOOD-BANNER, in seconding the Amendment, said that the case of an injured man who on account of insensibility was prevented from sending notice in writing was fully provided for. It was only proper that the employer should get written notice of the claim.

Amendment proposed to the Bill—

"In page 3, line 2, after the word 'made,' to insert the words 'in writing.'"—(*Mr. George Gibbs.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said this matter was fully discussed in Committee, and it was decided by a large majority that it was undesirable to import any definite form of legal document into the making of the claim. If they insisted on the claim being in writing what would happen? The workman would go to a solicitor, and he might not be able to put down the claim in writing, simple as that might seem to the hon. Member who moved the Amendment. It was a complicated and difficult matter to put down in plain writing what the claim was. He hoped, therefore, the Amendment would not be accepted.

Question put, and negatived.

MR. EVELYN CECIL (Aston Manor) moved an Amendment providing that the claim for compensation should be made within "three" months after death instead of "six" months. The Amendment was based on a recommendation of the Departmental Committee, and he submitted that three months was ample time for the purpose.

MR. PARKES seconded the Amendment.

Amendment proposed to the Bill—

"In page 3, line 2, to leave out the word 'six,' and to insert the word 'three.'"—(*Mr. Evelyn Cecil.*)

Question proposed, "That the word 'six' stand part of the Bill."

SIR W. ROBSON said he considered six months a reasonable time, and therefore he could not accept the Amendment.

And, it being Eleven of the clock, further consideration of the Bill, as amended stood adjourned.

Bill, as amended (in the Standing Committee), to be further considered on Monday next.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at one minute after Eleven o'clock.

HOUSE OF COMMONS.

Friday, 30th November, 1906.

The House met at Twelve of the Clock.

PETITIONS.

INFECTIOUS DISEASE (IRELAND) BILL.

Petition of the Royal Sanitary Institute, in favour; to lie upon the Table.

MOTOR VEHICLES ON HIGHWAYS.

Petition from Ripon, for legislation; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petitions for extension to women; from Cardiff (three); and, Selby; to lie upon the Table.

PUBLIC HEALTH (REGULATIONS AS TO FOOD) BILL.

Petition of the Royal Sanitary Institute, in favour; to lie upon the Table.

VACCINATION ACTS.

Petition from Derby, for repeal; to lie upon the Table.

VACCINATION PROSECUTIONS BILL.

Petition of the Royal Sanitary Institute, against; to lie upon the Table.

RETURNS, REPORTS, ETC.

WORCESTER ELECTION COMMISSION.

Copy presented, of Report of the Commissioners appointed to inquire into the existence of Corrupt Practices at the Worcester Election, 1906 (Report and Minutes of Evidence) [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Naval Courts Martial.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty whether it is the practice of the Board of the Admiralty to review and revise the findings of naval courts-martial; whether, in view of the nature of the sentence passed on the 26th instant on certain stokers at Portsmouth, he will give an assurance that, before confirmation of this sentence, the whole of the circumstances shall be considered; and whether the House will have an opportunity of discussing the matter before the end of the present session.

(*Answered by Mr. Edmund Robertson.*) The proceedings of all naval courts-martial are passed in review by the Judge Advocate of the Fleet and by the Board of Admiralty, and under Section 53 of the Naval Discipline Act the Admiralty have power to suspend, annul, or modify sentences passed by such courts. As I have already stated, when the findings of the courts-martial have been received and considered, an Admiralty Minute will be promulgated giving the decision of the Board in regard to the conduct of all concerned and to questions arising thereon.

Revenue Stamping Offices in the City of London.

MR. SEARS (Cheltenham): To ask Mr. Chancellor of the Exchequer if there is any necessity for the existence of two stamp distributors in the City, one at Telegraph Street, at £800 a year, where there are stamping presses, and a staff of stamp and excise clerks and tax officials, another at the Stock Exchange, in the immediate neighbourhood, with a salary including allowances of £900 a year, an assistant at £500, and a staff of clerks; and will he make inquiry into these arrangements.

(*Answered by Mr Asquith.*) Having regard to the quantity and the character of the work which has to be done I am of opinion that the retention of the two offices is absolutely necessary.

Manchester Stamping Office.

MR. SEARS: To ask Mr. Chancellor of the Exchequer what duties in the Manchester stamp office call for the services of an accountant at £550 which the chief Inland Revenue officer in the same building, at £800, is incapable of performing as part of his work; will he state what check the accountant applies to the stamp staff in Manchester which is not applied in other similar offices without

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

the presence of such official; and will he state whether the chief accountant at Somerset House, who is controller of accounts for the Inland Revenue, and, as such, is or should be independent of the charging staff, is at Manchester placed in the position of controlling his own official, and thereby doing away apparently with an independent check.

(*Answered by Mr. Asquith.*) I have already explained, in an Answer given to my hon. friend on the 2nd November,† that the necessity for the accountant at Manchester arises from the fact that, owing to the large scale on which stamping takes place in that centre, it has not been found economical to employ "recording" presses, as at all other provincial centres. The duty is in all cases received by the collector. Where "open" presses, driven by power machinery, are employed, an independent officer is required to raise a charge against the collector for stamps impressed; where "recording" presses are used, the charge is raised by the record of the machine itself. The officer upon whom the Accountant and Comptroller General at Somerset House requires to have a check is the collector who receives the duty. In Manchester this check is exercised through the accountant, who is merely a unit of his staff stationed where the work arises.

Irish National Education—Training of Junior Assistant Mistresses in Kindergarten.

MR. JOHN O'CONNOR (Kildare, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland when did the Commissioners of National Education in Ireland begin to consider proposals for the training of junior assistant mistresses in kindergarten methods and object lessons; does such consideration still continue; when may the conclusions be expected; and, in the meantime, how are the 474 junior assistant mistresses appointed since last July employed.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that the question of the training of junior assistant mistresses in kindergarten methods and object lessons first came under their consideration in the beginning of the present year. The Commissioners submitted their proposals in the matter to the Irish Government on 25th April. As I have already informed the hon. Member, these proposals called for much consideration, especially having regard to the state of the Ireland Development Grant. The Irish Government are in communication with the Treasury upon the subject, and I hope that a decision will shortly be arrived at. In the meantime the junior assistant mistresses appointed by the Board are employed in various national schools assisting in the school work.

Salaries of Teachers in Corcreagh National School.

MR. McKEAN (Monaghan, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland why the salaries of the teachers in Corcreagh national school (Roll No. 13,811), in the county of Monaghan, have not been paid for the quarter ending the 30th September last; why no reply was sent when the manager, the Very Reverend Dean Bermingham, P.P., V.G., and subsequently the principal teacher, wrote to the Commissioners on the subject of the delay; and whether he will have the matter inquired into.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that the salaries were not paid at the usual time, 16th October, because the quarterly Returns on which the payments depend were irregular and had to be sent back to the manager for completion. These Returns were not received in a complete state until the 28th instant, whereupon the salaries were issued. The manager's letter was received on the 14th November, and on the 17th November the circumstances connected with the delay in payment were fully explained to him.

ADJOURNMENT.

Resolved, "That this House, at its rising this day, do adjourn till Monday next."—(*Mr. Joseph Pease.*)

TOWN TENANTS (IRELAND) BILL.

[THIRD READING.]

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

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† See (4) *Debates*, clxiii., 1445.

*VISCOUNT CASTLEREAGH (Maidstone) in moving that the Bill be read a third time that day three months, said that he did so because he considered that the provisions of the Bill were not calculated to benefit Ireland or any class of the community. He had no desire to take up the time of the House by repeating the arguments which had been put forward on the Report stage, but he considered that on the Third Reading it was incumbent on him to repeat the protest of Members on the Opposition side in the hope that he might influence the Government at the last moment. He might be allowed, first of all, to make a protest that the Bill had not been printed in the form in which it would probably go to another House. It was obvious that a great many difficulties would arise to those who were interested in the measure inside as well as those outside Parliament from the fact that the alterations had not been printed.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.) said that a corrected copy of the Bill was in the Reading Room.

*VISCOUNT CASTLEREAGH said that his first reason for moving the rejection of the Bill was that it was not a measure which was in any sense required, and if passed it would probably have to be extended to England and Scotland. He believed that the Bill in its present form was absolutely unworkable. During the debates neither the authors of the measure nor the Government had attempted to show that fresh circumstances had arisen in recent years which would justify Parliament in setting aside the finding of the Town Holdings Select Committee in 1899, who after an investigation of the subject during three years reported that no case had been made out for separate legislation for Ireland. He was personally in favour of compensation being given to tenants for improvements, but there were various facts which had to be taken into consideration. The Government desired that no facts should be taken into consideration. Hon. Members below the gangway thought that landlords had a stigma attached to their name, and that nothing in the way of injustice could be too hard for a person who owned property in Ireland. The great blot on the Bill was its retrospective character. Another great blot was the provision of compensation for disturbance, and these points alone justified him in moving the rejection. The case for the Bill appeared to rest mainly on the point that short terms were more prevalent in Ireland than in England. This was fully recognised by the Select Committee in 1899, but they refused to regard it as sufficient reason for legislation. If short terms were to justify exceptional legislation, why was not the Bill limited to such leases? In its present shape, if the existing term lasted for generations or even for centuries, the outgoing tenant could compel his landlord, subject to the very slender provisions in Clause 2, to compensate him for permanent buildings found on his holding, unless the landlord could satisfy an arbitrator that the buildings were not erected by the tenant or his predecessor in title or that the tenant was partly compensated by having a low rent, or receiving certain other benefits. If the Bill was to be retrospective all facts should be assumed in favour of the landlord, and the onus of proving the contrary should fall on the tenant. He appealed to English and Scottish members who owned properties, and who would be affected if such a Bill came into operation all over the kingdom, to consider whether it was just that a landlord should be called upon to prove that he was in no way responsible for buildings which might have been in position for years with nothing in writing to show who put them up, and that in such a case the tenant should be entitled to claim compensation. Another anomaly was that the Government had provided the landlords with certain safeguards in regard to contracts after the passing of the Bill, but had left him obviously at the mercy of a tenant in regard to contracts before the passing of the Bill. He submitted that this was in itself illogical and contradictory, and it proved that the Government were fully cognisant of the fact that they were inflicting gross injustice by making the Bill retrospective. The Bill would bring about a great many anomalies, and the result would be that a landlord would have to look about with a view of safeguarding himself, and notwithstanding the provision in the Bill against contracting out he would try to bring about a system of eleven-months leases, which they were all agreed was a most objectionable form of lease. Another thing was that the landlord would attempt to get rid of his property at any price, and it was obvious that it would pass into the hands of middlemen who were not actuated by a desire to benefit the property, but by a desire to extort rents which would bring a good return for their money. If there was to be legislation on this matter it should be so framed as to promote improvements and prevent deterioration of house property generally. Such a measure would be a boon to the whole community, but it would require very careful consideration and the Government would have to obtain the assistance of the most experienced philanthropic men in the country. Tenants should not only be assisted in making improvements, but landlords should be assisted in improving their property where the tenant was unable or neglected to do so. In most leases there were covenants to keep in repair, but in practice it had been found impossible to enforce performance of those contracts, so that houses and neighbourhoods which had been healthy places had been converted into unhealthy slum quarters. If the Government would bring forward a good measure for the whole kingdom he was convinced that it would be welcomed by all Parties, but such beneficial legislation would be indefinitely postponed by passing such a limited and one-sided measure as the present Bill. He maintained that the Bill was so drafted that it would defeat its own object. Its purport was to improve the position of the tenant, but many urban proprietors were poor men and it would be impossible for them to incur the risks which this Bill would impose upon them. They would be compelled to sell their properties in a glutted and a depreciated market, and more distress than at present existed would ensue. The properties would be bought up by the middle man with the avowed object of speculation; and to his mind in a few years the Bill, instead of being a benefit to the tenants, would be a curse. It might be said that the landlords might postpone their troubles by granting long leases, but in most cases these were only desired by building tenants who intended to sublet or by traders. Lettings from year to year or short leases with covenants for surrender or renewal had always been the most popular form of tenure among the majority of residental tenants in Ireland. The Bill, however, would make such terms objectionable to landlords, and to escape them there would soon be all over the country an absurd system of eleven-months lettings in towns on the model of the grazing lettings which were at present the subject of so much popular denunciation in many parts of Ireland. Perhaps the most important part of the Bill and the most objectionable feature of it was that dealing with compensation for disturbance, which he maintained was absolutely and entirely inapplicable to town property. It was argued that there was an analogy between agricultural holdings and town holdings, but he ventured to diagree entirely with that, because they knew that agricultural tenants were willing to take up leases on terms which were often not advantageous to themselves. He was convinced that if the Bill was passed it would be a warning to small proprietors to sell as quickly and as unconditionally as possible. The contracting out provisions of the Bill was another instance of the Government's stepping in for the purpose of interfering with contracts between man and man, and if the provision was passed it would all go back to that objectionable system of the eleven-months letting, and consequently it would compel tenants to accept a precarious form of tenure when otherwise they would be able to make a profitable bargain both for themselves and for the landlord. He had no doubt it would be possible to embody in a new Bill the few good points which there were, he admitted, in the present measure. He agreed that compensation should be accorded to tenants for improvements they had carried out in their holdings. He hoped a Bill would be brought in omitting those injustices which he believed were only included in the present Bill by the Government for the purpose of satisfying the vindictive dislike the Nationalists entertained towards anybody in the unfortunate position of owning property in Ireland. While he could understand and would heartily support a Bill including compensation for improvements, he protested against this measure because it was obviously class legislation, and from its retrospective character it would benefit tenants to the detriment of landlords. They had heard nothing from the Chief Secretary or the Attorney-General in favour of the Bill. It was true they had made a few vague statements that they were desirous of removing injustices which existed, but they had never explained what those injustices were, though they had been forward in explaining what injustices they proposed to leave on all who happened to be members of the landlord class. The Attorney-General, in a voice quivering with indignation, had repeated on several occasions the question why should not a tenant receive compensation for improvements which he had paid for. The obvious answer to that was that when a tenant entered into a lease of a site or a house he knew perfectly well what the covenants of such a lease required him to do; and it reflected on the intelligence of the average tenant in Ireland to admit that he was deluded by his landlord. He was afraid he would not be able to claim the support of all sections of the House for his Motion. They knew perfectly well that hon. Gentlemen opposite constituted a mechanical majority and gave implicit obedience to the commands of their Party Whips. He knew well why those orders had been issued. The Government were on the horns of a dilemma. They were desirous of gaining the support and also the silence of the Nationalist Party, because the Hibernian gibe was more distasteful than any other to the right hon. and learned Gentlemen on the Government Benches. They also wanted to redeem the promise made at the general election that Home Rule was not a question of practical politics, and to vindicate the assertion that when brought forward on that occasion by members of the Unionist Party, it was done with the object of obscuring other issues. But let the House not be deceived by the tactics of the Government. It was obvious that while Home Rule was on the shelf they were prepared to give a sop to the Nationalist Party in the shape of the present Bill, which meant that this Government, who called themselves the champions of liberty, were prepared to create injustices and to inflict hardships on a class in Ireland who happened to own property as a price for Irish support and Irish silence, which he might tell them once and for all they would not get, and which, if they got it would not redound to the credit of the Government. In moving the rejection of the Bill he protested against the methods the Government had adopted. He ventured to challenge the sincerity of the Government on this measure, and although he had little hope of carrying his Motion, he was convinced that no Government which stooped so low as to sacrifice their principles in the endeavour to prolong their existence would earn the respect of the people of this country, which it should be the desire of every responsible Government to obtain.

MR. CHARLES CRAIG (Antrim, S.) seconded the Motion for the rejection of the Bill. He admitted that it seemed rather peculiar for a person who had always claimed to be a friend of the town tenants in Ireland to rise to move the rejection of a Bill which dealt with them, but when one considered the history of this question he did not think his action would appear so strange as it seemed at first sight. As he was addressing hon. Gentlemen who had not been Members of former Parliaments it was necessary to go into the history of this movement at some little length. There had been several Bills before Parliament in former years dealing with the question of compensation for improvements made by town tenants to their holdings, and he believed that in some of the Bills provisions for compensation for disturbance were included. He thought, however, he was right in saying that in the case of every previous Bill dealing with compensation for disturbance that principle had received short shrift at the hands of Committees of the House, and that this was the first occasion upon which it had been seriously considered, or at all events dealt with, by the House. The question had been very inadequately dealt with by the Chief Secretary and the Attorney-General for Ireland, and although he admitted that there were a number of towns in which the condition of the town tenants was not satisfactory, the sum total of their claims had hitherto been compensation for improvements when they left their holdings. He would be very glad to see them get compensation for their improvements, although he was not sure that he approved of certain provisions contained in the Bill which would deprive some tenants of that compensation on account of the looseness with which the contracting-out section was drawn. In regard to improvements made ten, fifteen, twenty, or thirty years ago, he did not believe that in justice and equity any compensation could be awarded, although as to those made within the last three, four, or five years there might be some justification for the argument that they should be included because this question had been before the House of Commons on many occasions during the last few years, and there was a possibility that tenants might have thought they would receive compensation for their improvements. But to include improvements made long before the agitation started was contrary to all principles of equity or justice. The case of Mr. Ward of Loughrea and Lord Clanricarde had nothing to do with the matter. The Bill was passed through a Committee upon which there was a very inadequate representation of the Irish Unionist Party, and it had not received the careful consideration which it deserved, especially as it would eventually affect the whole of the United Kingdom as well as Ireland. He ridiculed the idea that the Chief Secretary was influenced by no other motives and ideas than to give a useful measure to Ireland. He disagreed with that view of the case. He said deliberately that the action of the Government in this matter had been affected strongly by more than one consideration. Mr. Ward's case had a strong bearing on the matter. Hon. Members would agree that the impression left on the House by the Chief Secretary and the Attorney-General on the Second Reading of the Bill was that the Government intended to deal with compensation for improvements and that part alone. They were told that the case of Mr. Ward had nothing to do with it, but from the speeches of the Nationalist Members most hon. Members would agree that Mr. Ward's case had a great deal to do with compensation for disturbance being included in the Bill, and he maintained that one isolated case should not be allowed to influence the Government in a matter of this kind. Two days ago there was a Bill introduced into the House having for its object the expropriation of Lord Clanricarde, and he wished to quote a few lines that were spoken on that occasion.

MR. JOHN REDMOND (Waterford) asked whether it was in order to quote speeches made on the occasion of the introduction of another Bill.

MR. CHARLES CRAIG submitted that his object in making a quotation was to show, in reply to the Chief Secretary's statement he was not influenced in any way by that case, that the Loughrea case had a very definite bearing on the Government's action in this matter.

*THE SPEAKER: The hon. Member is not entitled to refer to debates which have taken place this session on another matter.

MR. CHARLES CRAIG maintained that the question of Mr. Ward's eviction had a close bearing on the Government's action in providing for compensation for disturbance. He simply desired to quote a few words spoken by the Prime Minister in answer to the speech made by the hon. Member for Galway.

*THE SPEAKER said he did not think the rules of the House allowed references to be made to debates which had taken place during the same session on another matter, however cognate it might be.

MR. CHARLES CRAIG said he bowed to that ruling. Another reason why they should not read the Bill a third time was that they had only discussed six of the sixteen clauses on the Report stage. He dismissed the Committee stage altogether, because that stage was practically a farce. ["Oh, oh" and "Why?"] Well, owing to the smallness of the representation on the Committee of those hailing from the North of Ireland. They had only three or four Members on a Committee composed of thirty or forty Members, and they considered they were not properly represented.

MR. CATHCART WASON (Orkney and Shetland): Do you say you had not fair treatment by the Chairman of the Committee?

MR. CHARLES CRAIG: I do not think I need answer that question. It will be quite time enough to do so when the charge is made.

MR. CATHCART WASON: You did make the charge.

MR. CHARLES CRAIG: I did not. In consequence of the arrangement they were forced to make they had to stop the discussion on the Report stage after Clause 5 had been added to the Bill. In the rest of the Bill there were many points of considerable importance which the House had been unable to touch, and which should not be allowed to become law without the House having the opportunity of saying a word about them. The hon. Member for Maidstone had referred to the few changes in the Bill, but had never said why those changes were made. If hon. Members would compare the proceedings on this Bill with those on the Land Tenure Bill they would see a great difference. The Irish Bill had been treated differently from the English Bill. The provision in the English Bill dealing with compensation for disturbance was so materially modified that in its present form it was not a very harmful clause. But in the Irish Bill they had the clause as originally introduced into the English Bill and no modification of it had been allowed. Taking all the circumstances into consideration, if it was right and proper to modify the clause in the English Bill, it was equally right and proper to modify to the same extent the clause in the Irish Bill. But the Government had not seen fit to do so. Why? Simply because in one case it was an English Bill and in the other case it was an Irish Bill. That was not a proper consideration to weigh with any Government, and where the conditions were the same the same treatment should be meted out to Ireland as had been meted out to England. For that reason, if for no other, they had reason for moving to reject the Bill. The other clauses were bound to lead to an immense amount of litigation, and yet they had never had an opportunity of discussing to what courts these matters were to be referred, how the appeals were to be managed, or anything of the sort. As to the contracting out clause, the Government would bring about a system of eleven-months tenancies, against which the Nationalist Members had spoken so strongly in the West of Ireland. It was well known that the eleven-months system was one of the bugbears of the Nationalist Party, and the Attorney-General, who was supposed to be their strongest friend, had put into the Bill a provision to set up for town tenancies the very bad system which had given so much trouble to both landlords and tenants in the West of Ireland. From what he had said he was sure hon. Members on the other side would not think that the Bill should be disposed of in the summary way proposed. The whole matter had been discussed at very inadequate length. The issues involved were very great, and they had never heard until the Report stage what the real intentions of the Government were. He did not think that was right or proper. Compensation for disturbance was an evil provision, because it was bound to necessitate the setting up of fair-rent courts. It brought about fixity of tenure and dual ownership, and everybody who knew anything of Ireland knew that these three things had brought about an intolerable amount of mischief in his country. He did not think anybody could give any reason why the same system applied to town tenants should not be productive of as much inconvenience and difficulty as had been the case in regard to land. For these reasons he thought the House should carefully consider the matter before embarking on legislation dealing with compensation for disturbance. The Chief Secretary had told them that nobody would deny that the Lands Acts had done great good to Ireland. That was a point which might be argued at considerable length. It was true that landlords had been bought out by the action of the 1903 Act. All the Acts which led up to the Act of 1903 were necessitated by the initial mistake of the Act of 1870. As to whether these Acts had been a success or not, or whether the condition of Ireland owing to these Acts was better than it was before, was a debatable point. He did not think many people would say that it was a good thing that there should be fair rent courts for town property and dual ownership in small houses. It was acknowledged that the condition of affairs set up by these Acts was most undesirable and harmful, and yet they proposed to set up the same state of affairs under the present Bill. It was impossible that the thing should stop there. The Bill would lead inevitably by the same steps to a similar state of affairs as had occurred in the case of land namely, the purchasing of houses all over the country.

He supposed no English Member would look forward with pleasure to the time when they would have to provide £100,000,000 sterling for the purchase of small houses in Ireland. He supposed, too, it was hoping against hope to suppose that the House would now seriously consider the magnitude of the changes proposed to be made in the law of Ireland, changes which would bring about a state of affairs very much worse than existed at the present moment. They admitted that there were cases where legislation was necessary, but in 95 per cent. of the cases legislation was not necessary, and the others had been made the pretext for setting up this legislation for the whole of Ireland. He always understood that Parliament only legislated in cases where a large number of people would be affected by the legislation. Here only a very small minority was concerned, and to legislate in the manner proposed for a small minority was not statesmanship.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months."—(*Viscount Castlereagh.*)

Question put, "That the word 'now' stand part of the Question."

MR. J. F. MASON (Windsor) said he had considerable sympathy with the principle of compensation for improvements. His objection to the Bill was entirely confined to its retrospective character. Clause 5, the House had been told, had been taken from the Land Tenure Bill, but it much more nearly resembled the original clause in that Bill than the clause eventually adopted, and he failed to see why the reasons which influenced the House to make such considerable alterations to the clause in the Land Tenure Bill, had not received more attention when applied to this particular case. The operation of the words "refuse to grant a renewal of the tenancy" and the operation of the word "loss" at the end of the clause would not have the same effect in the Land Tenure Bill as in this. "Loss" opened the door to claims for sentimental damage as well as damage for loss by removal. The clause also affected contracts, and though he believed in the case of holdings let on short terms the evil effects would not be great, in the case of holdings let upon lease for a term of years the evil effect would be very serious indeed. Under the lease land was let for a definite purpose for a definite term, yet by this Bill it was proposed to take away from one party to the contract and to give to the other something that had never been bargained for, paid for, or mentioned in any way at the time the original contract was made. It was proposed to give the tenant power to renew his tenancy, but it was not proposed to give any power of refusal to renew to the landlord. This was an unjustifiable interference with the right of contract and the freedom of two individuals to enter into a contract. If the State was to interfere with existing contracts of that kind he failed to see by what logical argument it could be maintained that the State should not interfere with contracts of other kinds. Was it to be said, if an iron master contracted with a certain colliery owner for the supply of coal for a year, that colliery owner was to have the preferential right over other colliery owners to have his contract continued for all time? Was a builder who had built a row of ten cottages for a man to have a claim on that man if in the future he required another row built? If any such principle as that were accepted it would destroy the whole principle of contract upon which our commerce and industry was founded, and at the same time it would remove that free competition which was necessary to the government of business contracts and encourage to a very large extent the principle of monopoly. It seemed to him also that Clauses 5 and 7 were antagonistic one to the other. In Clause 5 the tenant was distinctly given a right to break his existing contract by claiming a right to renew at the end of the tenancy when in many cases under the lease he had undertaken to surrender the property. It was a common practice to insert words in the lease that at the end of the term the tenant should give up his holding without proceeding to law. Clause 5 encouraged the tenant deliberately to break that contract and to claim that he had a right to stay if he thought fit, and Clause 7 said that a tenant should not be entitled to compensation for disturbance if he broke any of the conditions of the lease or tenancy. It seemed to him that the effect of this principle of interference by the State in the question of contracts would be very serious, because there was no logical reason when it was once adopted why it should not be extended to contracts of other kinds. Clause 5 might have a very serious effect upon building operations in general, because the dual ownership that would be constituted must tend to deter owners of land in future from building houses upon it. The only people who would be able to build houses in the future would be those who were going to live in them. They would buy their land and build their houses. But at the same time there were those who had not the capital to build a house and whom it would suit much better to hire one. In the case of such people they would in building have to borrow the money, and as the only security for the loan would be the house the rate of interest under those circumstances would be very exorbitant. The principle of the Bill to which he most objected was the interference by the State with existing contracts, because it must have a very destructive effect in the future upon that confidence which should exist between man and man. He believed that no contract would be safe, as one could never be certain that the State would not step in and upset it. He believed this feeling would extend to all classes of the community, and the effect generally would be to paralyse our industries. The time for appeal he supposed was passed, and therefore he must content himself with entering a vigorous protest against the Bill being passed into law.

MR. L. HASLAM (Monmouth Boroughs) said he could not accept the position which the Government had taken up in regard to the retrospective nature of the Bill. He thoroughly sympathised with the objects of the measure. If it was prospective only he would support it to the utmost of his power because there was very little in it with which he could not agree. But he thought the retrospective element in the Bill was one fraught with great danger to the community. In the interests of the tenants themselves, it was advisable that it should be altered in that respect. It seemed to him that it would lead to an immense amount of litigation than which nothing was more undesirable, as the costs would have to come out of the pockets of people who could ill afford to pay. It had been said that by making the Bill retrospective they would help to extend this principle to other Bills on similiar subjects. He did not say that no Bills should be retrospective. There was a good deal to be said for the proposal that the Bill should be retrospective for five years only. He quite agreed that great injustices had been done by the landlords of Ireland to their tenants, and if an Amendment could be introduced in the House of Lords by which the retrospective clauses in this measure were limited in application it would tend to much greater confidence in the working of the Bill.

SIR D. DIXON (Belfast, N.) protested against the Bill because it was not wanted. It would stop building and exercise a prejudicial influence. The hon. Member for South Antrim had estimated that not more than 5 per cent. of the town property owners in Ireland wanted it. So far as the North of Ireland was concerned, he could say that not more than one per cent. of the people affected required it, and he did not think it was right or just that such a Bill which only a few wanted should be passed.

*MR. VERNEY (Buckinghamshire, N.) said there was a great deal to be said against a retrospective clause when it was not guarded by fair conditions, but the clause they were discussing was conditioned in a proper manner. The conditions on which alone compensation was to be granted were that the improvements, added to the value of the holding—not only when they were made, but that they continued to add to its value when the claim was sent in, and that the improvements were suitable to the character of the holding. Another question dealt with was that of contracts. They had heard a good deal about freedom of contract, but that did not exist in many cases in Ireland, and the best substitute for this defect was the interference of the Court. The Court would introduce freedom of contract where practically it did not exist and could not exist before owing to the nature of the case.

LORD R. CECIL (Marylebone, E.) said that in a former debate the Chief

Secretary for Ireland had stated more than once that this was a Bill which affected only Ireland and was not to be regarded as a precedent for England. That view, however, had not been accepted by all his supporters, and therefore he was afraid that he must treat the Bill as one likely to be adduced as a precedent for similar legislation in England. That was the situation which English Members had to face. Another argument adduced by the Chief Secretary was the precedent of 1870. He would not deal with that precedent at any length, because he did not think the right hon. Gentleman would seriously contend that the condition of urban tenure in Ireland was in any way similar to agricultural tenure of land in that country. As this Bill would be treated as a precedent for England they were obliged to consider the question on its merits, and decide whether it was the kind of legislation of which this House approved, quite apart from anything which was done in 1870. Those were the two main arguments which had been put forward by the Government, and although the Opposition had repeatedly asked for reasons why they had taken up that position, the Government had not produced one single justification for suggesting that there was anything special about the condition of Irish town tenure which made it desirable that a special and otherwise indefensible piece of legislation should be passed for that particular branch of industrial and urban life in Ireland. The only special case put forward was contained in the word "Clanricarde." When any proposal of this kind was put forward hon. Members below the Gangway found consolation in the fact that at any rate it would hit Lord Clanricarde. He did not think that that was a position which could be maintained. If Lord Clanricarde was the enemy of the human race the Government ought to pass a measure for his expropriation and have the case submitted to the proper tribunals. The country would then be able to judge how much of this Lord Clanricarde bogie was a reality and how much imagination. The House, however, could not accept the Clanricarde argument pure and simple. It was admitted that Lord Clanricarde was quite an exception, and that other landlords in Ireland were behaving very well. Therefore, it was quite plain that this measure could not be defended merely on the ground that Lord Clanricarde interfered with one of his tenants at Loughrea. He submitted that the arguments to the effect that this was purely an Irish proposal which did not affect England, and that it was simply carrying out the legislation of 1870, were quite unsound. He agreed with his noble friend the Member for Maidstone that the two principal parts of this measure to which exception was taken were those which made the compensation for improvements retrospective and gave compensation for disturbance. They had not up to the present heard any defence, and indeed there could be no defence, for making the Bill retrospective in regard to improvements, quite apart from any questions of precedent. It had been said that the Bill was not unfair in itself, because the improvements which the tenant had executed necessarily increased the letting value and that, therefore, it was quite fair and just that when those improvements came into the hands of the landlord he should pay for them. That contention left out of account altogether the fact that the property might have changed hands since the improvements were executed, and those improvements might have been paid for and sold on the footing that the landlord would not pay for them. It might be that the person actually in possession of the property had never expended any money at all upon the improvements, and that he had only paid for them in proportion to the period for which he was likely to enjoy them. He presumed that many hon. Members on the Ministerial side had carried out transactions of that character, and it was well known that they never paid the full value of the improvements unless they were going to own them for ever. All that they paid for was the interest they would get in the improvements until the end of the lease. He wished to remind the House of the unfair results which this Bill would produce if it was made retrospective. If a tenant handed over to his successor an extra room which he had added to his premises that would be an improvement carried out since the lease was granted, and the new tenant would be paid compensation for that although he might not have paid anything for it. Surely that was a most unreasonable provision, and he thought the hon. Member opposite was fully justified in saying that the retrospective element in the Bill was utterly unsound and unnecessary. As far as the Bill was retrospective it was utterly indefensible. He could easily give to the House instances from his own personal knowledge where the result of this Bill, if applied to English town property, would put money into the pocket of the tenant although he had not spent anything at all in connection with the improvements. With regard to the clause dealing with compensation for disturbance, he thought in the case of town property there was a very great grievance and hardship constantly inflicted on tenants by reason of their being evicted from their tenancies or by reason of their tenancies not being renewed. He instanced the case of property let by an urban landlord where the tenant established a business. That tenant would expect to get a renewal at the end of his lease, although it was true that he had no legal right to demand it. At the end of his lease his tenancy might be put an end to and he would not only suffer the ordinary disadvantage of having to change his place of abode, but his business might be altogether destroyed in consequence. He fully appreciated that hardship, and it was one which ought to be met. Such cases were as common in the wealthy parts of great cities in England as in any poor country town. None the less he was opposed to the provisions contained in the Bill. His point was that the Bill would not deal with that state of things which was one of the essential difficulties they had to face. There was some truth in the proposition that the land upon which a great city was built had a monopoly value, but it should not be overlooked that they could not keep a city in the same condition for ever as that in which it was originally built. They were obliged to face the question of development and improvement, and it was those two questions which in ninety-nine cases out of every 100 in England brought about the hardships which had been complained of. He knew a case where a man carried on an excellent business in a street in London, and when his tenancy came to an end he found that an arrangement had been made to rebuild and reconstruct the whole district, completely altering its character. That tenant was necessarily turned out, and was unable to obtain a renewal of his lease. Undoubtedly the tenant in that instance suffered very great hardship, and he would have been very glad if some provision could be devised to meet cases of that kind. But this measure would not help in the least in such cases, for they could not be dealt with by legislation. What was more he did not believe that any clause could be devised which would effectively deal with such cases of hardship without unduly hampering the development and improvement of a town. The hon. Member for North Hackney had stated that the provisions of the Bill were defensible upon the ground that land was a monopoly. He agreed that the land on which a town was built was to a certain extent a monopoly, but that was not in the least true of agricultural land. He had a great sympathy on one side of his nature with the socialistic solution of these questions, which he agreed was somewhat attractive, but he was forced to the conclusion that in the end it would prove no remedy whatever for the existing evils. It did not matter whether land was owned by a private individual or by the State. If a city was to grow properly and progress and improve, it did not matter whether the owner was a private individual or the State, individuals must suffer. The phrase "minorities must suffer" was quite true. Consequently he rejected the socialistic solution as useless for the purpose they had in view. The methods proposed in this Bill would do no good, and would simply irritate landlords by a series of pin pricks. Such proposals would not draw the teeth of Lord Clanricarde.

MR. THORNE (West Ham, S.): We want to stop his rent.

LORD R. CECIL said they might succeed in enraging a wild beast but they would not kill it by such methods as they were now proposing. All the Acts dealing with this subject which had been passed for Ireland had done no good; in fact, they had done harm. [NATIONALIST cries of "No, no."] That was the experience in Ireland. The Land Acts had done no good in Ireland in the past, and Parliament had been driven to adopt a system of peasant proprietorship which was simply going back to the old system, the only difference being that they had substituted one set of owners for another.

*MR. BYLES (Salford, N.) thought that it was just as well that a voice should be heard on this question from a quarter where it was said it was hard to find a fair-minded man. He had listened to the rather long but extremely interesting speech made by the noble Lord the Member for East Marylebone, who appeared to see the injustice which this Bill was trying to remedy, but who had unfortunately finished up his remarks by saying that nothing could be done. He knew a little about the town tenants of Ireland, for he had had opportunities of attending their meetings advocating the remedies which the Government now proposed to apply. He had stood face to face in the open air with crowds of men, and he had seen their earnestness and sincerity and he knew their deep sense of grievance in this matter. He rejoiced that the Government during its first year of office had tried at any rate to find some remedy to meet the case of these poor men. He was quite unable to follow the noble Lord's argument against the retrospective character of the Bill, which appeared to him to be perfectly just. If tenant A made an improvement on the property of landlord C, and sold that improvement to the second tenant B, surely B ought to have the right to sell the property which he had purchased from A.

LORD R. CECIL said in the illustration which he gave he was not dealing with the justice of the claim of tenant B to recover what he had paid. His proposition was that he only paid for the interest which A had in the improvements up to the end of the lease, and therefore he had not bought anything beyond an interest in the improvement to the end of the lease.

*MR. BYLES said he had stated what he considered to be the justice of the case. In previous debates on the Bill he had noticed that hon. Members belonging to the Opposition had warned the House that this was only the thin end of the wedge, and that the principle of the Bill would be extended to this country. He hoped it would. He thought English tenants had a grievance as well as Irish tenants. On the Bedford and Westminster estates in London tenants who enormously improved their properties knew that at the end of their leases the money they had invested would be swept away. In a place where he carried on business he took from the lord of the manor a lease of an old warehouse which was practically disused. He could only get a lease for forty years, and he built on the site a property worth £5,000, which in another twenty years would go to the lord of the manor, who had not provided a stone of it. [AN HON. MEMBER: What was the rent?] He did not know what the rent was at this moment, but, at any rate, the rent had nothing whatever to do with the matter. He recollected remarking to his partner at the time that it was a very short lease, and that perhaps it would be unwise to take it, as they would have to give the property up at the end of the lease. His partner replied, "Perhaps in the course of forty years we shall get all that remedied and justice will be done to tenants." This was the first instalment—the first attempt to give them justice, and he sincerely hoped that within the next twenty years the property which he had built with his own money would be protected for him, and that it would not have to be handed over to the lord of the manor. He was not in the least surprised at the rather strong language used not only by the last speaker, but by other speakers on this matter. They might call it an attack on private property. He did not deny that it was an attack on the old theory of the sacredness of the private property of landlords. He expected to find that view expressed on the Opposition side of the House. After all, it was only the rump of the historic Tory Party that was left in this House, but rump though it was, the Members of the Party still held the same views. He was not surprised. Toryism had always been Toryism, and he supposed it always would be. It shut its eyes to the great public interests involved in private property. When the supporters of such a measure as that now before the House were accused of confiscation, he answered that the confiscation had all been on the other side. What they were trying to get now was restitution, or what one of the great leaders of the Tory

Party had called "ransom." It was restitution they were asking for, and this measure carried out just the sort of thing they wanted to do. That was just what they had been sent to Parliament for. If he might say so without disrespect, he really did not think that the leaders of the Tory Party fully realised the meaning of the great upheaval of opinion which occurred last January, and which utterly transferred the power and the right of governing the country from the few to the many—from the classes to the masses. At any rate, it was the beginning of a process which he hoped would go on, and he warned hon. Members, however disappointed and alarmed they might be at legislation such as was now under consideration, and was embodied in the Land Tenure Bill which was under consideration last week, that these measures were only the beginning of what the democratic Party proposed to do. He hoped they would go on until they had transferred the government of the country from the few who had been appropriating to themselves all the power of looking after the "Haves" to the great democratic mass of the people of the country who possessed no property excepting common property, social property, and public rights. It was for those people he pleaded, and it was in the interest of a section of them that this Bill was now before the House.

SIR FREDERICK BANBURY (City of London) said the hon. Member for North Salford had stated by way of illustration something which had occurred in his own case, and which he considered justified him in voting for this Bill. At the end of the lease did the hon. Gentleman propose to move the warehouse off the land? How could he separate the land from the building? The hon. Gentleman conveniently forgot the rent he was paying, and then he added that it had nothing to do with the matter.

MR. BYLES: I do not pay rent for the new building. I am only paying rent for the land. What does it matter what the rent is?

SIR FREDERICK BANBURY said that question showed the extraordinary confusion in the hon. Member's mind. He obtained the land at a low rent because there was on it a disused warehouse which was not available for letting. It did not matter to him what the landlord had spent on that property. If the hon. Member was a prudent business man, when he took a lease of the land for forty years at a low rent, and proposed to spend £5,000 on a new building, he would have made a calculation as to whether he would be able during the currency of the lease to recoup himself, knowing that the building would fall into possession of the landlord on the expiry of the lease. It was evident that if the hon. Member had been able to get another warehouse ready built, or cheaper premises, he would not have taken a lease of the land on which he had erected the new building. When he took the land he was perfectly aware that at the end of the lease the building would go to the landlord, and he would doubtless know from the calculations he made, that the interest on the money expended and the sinking fund would amount to a sum less than he would have had to pay if he had rented an equally good and convenient warehouse. It was clear that under the circumstances the hon. Gentleman would not only get his £5,000 back, but that he would be paid twice over. He himself objected to the Bill because it would lead to dual ownership. When the noble Lord the Member for East Marylebone stated that in his opinion the Irish Land Acts had worked badly, the hon. Member for East Mayo laughed. During the fourteen years he had been in the House there had not been a single session in which hon. Members from Ireland had not attacked the land system. If the Land Acts had been a success hon. Members would have said that nothing further need be done in the matter. What had that legislation done? It had landed this country in an expenditure of £120,000,000. He earnestly hoped the House would not pass this Bill. The hon. Member for North Salford had said he did not see any injustice in the Bill being made retrospective. It seemed to him that the injustice was so manifest that he could not understand how any hon. Member could say so. The Bill said that, after the passing of this Act, if a tenant desired to make improvements in his holding, he should send to his landlord notice in writing, and if the landlord objected the tenant might go to the Court, and if the

Court came to the conclusion that the proposed improvements would add to the letting value of the holding the Court might sanction them. That was what was going to happen after the passing of the Act, and both landlord and tenant would be able to protect themselves; but he contended that it was monstrous to make the provisions of the Bill retrospective in this respect. If they were going to introduce this principle into legislation there was no knowing where they would stop. The hon. Member had said that now the Government of the country was in the hands of the people who had nothing, they were going to see that they got something from others who had it. He thought that that was one of the most dangerous prophecies ever made in the House. The right of applying to the Court by the person who wished to make an improvement after the passing of the Act was, of course, a safeguard, but he made no offensive allusion when he said there were provisions in all the Bills they had been discussing during the last three or four weeks which must result in an immense amount of litigation. Who desired that litigation? Who was to prove to the satisfaction of the Court that the proposed improvements would increase the letting value of the property? The landlord would go to a surveyor, who would probably say that the proposed improvement was not an improvement at all. The tenant would go to another surveyor, who would say it was a most excellent improvement. In the end they might not be able to prove that the letting value of the property would be increased. As everyone who had had to do with surveyors when making a valuation knew, one would make a low valuation for the one party and the other would make a high valuation for the other party. The only result of the Bill would be, besides benefiting the lawyers, to feed the desire for spoliation, which he was sorry to say was rife just now in the country. [Ironical MINISTERIAL laughter.] It was all very well for hon. Gentlemen opposite to laugh, but it was perfectly evident that when a man had seized a share of somebody else's property he wanted something more. The only people who would gain under this Bill would be the existing tenants. When they departed and new tenants came in, the latter would have to pay. He insisted that legislation which broke contracts was ruinous to every man. It was ruinous to the man who gained an advantage at the moment, and ruinous to the man who lost by it. It discouraged all enterprise. Did hon. Members opposite think that people who had got anything were going to stand quite idly by and see their property taken from them? He knew, as a matter of fact, that during the past six months enormous sums of money had been sent abroad for investment. [Ironical cheers from the LABOUR Party.] Hon. Members below the gangway who cheered did not seem to have grasped the economic truth that the working classes, above all classes in the country, were injured by the investment of money abroad. How were the working classes to obtain employment if capital were sent out of the country? He would have great pleasure in dividing against the Third Reading of the Bill.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.) said that they had not added very much in the debate that day to the arguments which had been offered on the Report stage. He noticed that the hon. Gentleman the Member for the City of London stated that the later clauses of the Bill had not been so fully discussed as they ought to have been, but that was because the debate on the earlier clauses had been so prolonged. The noble Lord the Member for Marylebone had gone into the details of the Bill and criticised them. There was nothing in the Bill as it now stood to warrant the statement that it introduced fixity of tenure and dual ownership into the occupation of houses. The words of the Attorney-General for Ireland, which had been often quoted, referred to a clause that had practically been removed from the Bill. That clause might, as originally drafted, conceivably have been so worded as to tend to the giving of fixity of tenure; but the clause now in the Bill had been so amended that it had no such tendency whatever. He also thought it was ridiculous to say that a Bill passed for Ireland was certain to be extended to England. It was not probable that such a thing would happen unless and until a similar condition of things existed in England as existed in Ireland. The principles of the Irish Land Acts of 1870 and 1881 had not yet been applied to England. He did not quote these Acts as necessarily showing that the case of houses and land was identical. But he did quote them to show that the House of Commons, where a sufficient case was made out, was not going to be frightened out of passing legislation because it was said it would interfere with contracts or prevent contracts being made in the future. The mere fact that a Bill interfered with freedom of contract did not prevent the House of Commons from doing what was right. The arguments used by hon. Gentlemen opposite had been disregarded in many cases, and therefore the House might come to the consideration of the case presented by this Bill with a perfectly free hand. Nothing that Mr. Gladstone did in regard to the disturbance of existing contracts went so far as what was done by the Tory Government in 1887. In fact, Mr. Gladstone refused to do it some years before. It was also said that the Bill would forbid contracting out. But in recent legislation that had been common, and he would cite the Acts in which that had been done, viz., the English Agricultural Holdings Act of 1883, the Workmen's Compensation Act of 1897, the Landlord and Tenant Act of 1870, and a similar Act in 1881. Really, it was impossible at this time of day to allege the prohibition of contracting out as a substantial argument against the provisions of this Bill. The criticism of the Bill had almost entirely turned on two clauses—that which gave compensation for disturbance and that which made compensation for improvements retrospective. The clause relating to compensation for disturbance seemed to have been misunderstood. He was quite sure that many hon. Members could not have appreciated the meaning of the clause, or they would not have used the language they had. It was a clause which was not to change the general relations of landlord and tenant, but to meet exceptional cases, and to restrict the power of the landlord to deal with his property in a vexatious and capricious way—to prevent him from turning out a tenant in an unreasonable and improper spirit; in other words, to prevent him from doing a thing which no good landlord would do. Moreover, it applied only to business premises. It was very hard that a man who had built up a good will in a business by his energy and skill should be unreasonably turned out of his premises. That had been constantly or often enough done to justify legislative restraint. The case of Lord Clanricarde had been cited as an exceptional case, but it was not an isolated case, and these things happened often enough, as he had said, to make it the duty of the Legislature to apply a proper remedy. The House would note that the landlord was by no means debarred from raising his rent. The compensation for improvements clause had been attacked for its retrospective character, but hon. Members who criticised the retrospective aspect of the clause had failed to notice the safeguard with which it was surrounded. Such compensation was not to be recovered for any improvement except permanent buildings made more than twenty years ago. Then the improvement must be suitable to the building, aud any benefit received by the tenant in respect of it must be deducted. Further, the improvement must be such as not to diminish the letting value of any other property on the same land. Again, in order fully to safeguard the landlord the matter was not to go to an arbitrator, but to a County Court Judge, who knew the condition of those places in Ireland, and who was not likely to exercise any unfair bias between landlord and tenant. Lastly, no compensation was to be paid for any improvement which did not add to the letting value of the property. The landlord was not to be asked to pay for that from which he did not get a benefit. The hon. Member for Dublin had said that that was not clear in the wording of the clause, but if that were so he promised him that it should be made more clear in another place. If the landlord was not to pay for anything except in respect of benefit received where was the injustice, or where was it contrary to a sense of equity? He submitted that the Bill in its final stage was a moderate and reasonable measure, and injustice and oppression would lie in the denial and not in the application of its principles. He deeply felt that anything which would tend to the improvement of property was greatly needed in Ireland, and the Bill would put the relations between landlord and tenant on a basis of fairness and justice. It was going to another place where measures were sometimes subjected to Rhadamanthine scrutiny, but he hoped the just principles which this House had recognised by large majorities would be considered on their merits. Whether in this session or not, he felt sure that those principles would before long be placed on the Statute-book.

SIR E. CARSON (Dublin University) said he did not think that anyone who had listened to the discussion on this Bill could doubt that it raised questions of first-rate importance. In fact any Bill which enabled people to break contracts into which they had entered, prevented people from freely entering into contracts in future, and set up the new principle of compensation for disturbance was a very serious matter and deserved the careful consideration of the House. He much regretted that in regard to a Bill of such first-rate importance this House by the action of the Government had only been allowed to consider it in detail for some three days, the time which was given to them for the Report stage, with the result that only four clauses had been considered by the House. That seemed to him to be a very serious state of affairs, and if anybody told him that a Bill of this sort could be properly discussed in three days they must be little acquainted with the ordinary methods of discussing a Bill and the ordinary principles governing debate. They had reason to complain of the course taken and of the reasons which had actuated the Government in taking up this private Bill in an autumn session. The right hon. Gentleman had told them that the clauses of the Bill were likely to be subjected in another place to Rhadamanthine scrutiny, and he could not help thinking that it was better to leave the other place alone, to discuss their Bills and transact their business in their own way. The right hon. Gentleman, in making that allusion, to a certain extent gave them an insight as to what had been the policy of His Majesty's Government in this autumn session in taking up private Bills and asking the House to discuss those which they thought would be subjected to Rhadamanthine scrutiny rather than those which were wanted by the country and which this House would wish to discuss. They were always hearing of the policy of "Filling up the cup," and the Government he suspected by their method of conducting legislation this session were actuated by the desire that the House of Lords, by the spirit in which it dealt with other Bills, should assist them in a controversy upon another measure of a contentious character. He regretted that the Bill had not been made applicable to England. The right hon. Gentleman who at one time seemed to think that the Bill ought to be applied to England now said that there was no reason to expect such an extension because the Land Acts had never been so applied. He thought that some of the followers of the right hon. Gentleman must have been troubling him since he spoke on the Second Reading, because on that occasion he said he hoped to see the principles of the Bill shortly extended to England. He thought that if the principles of the Bill had been going to be applied to England the benches on both sides of the House would have been much more thickly tenanted than they were on the present occasion. He could not help contrasting the action taken by hon. Gentlemen on the benches opposite in regard to a very moderate Bill relating to land tenure in England when it was before the House and the anxiety which they now displayed. Now, when they thought that it was only the vile body of Ireland that was to be operated on, and that these principles as regarded the breaking of contracts and compensation for disturbance were only being applied to his fellow-countrymen, it was an extraordinary thing how indifferent the House of Commons was. The night before one could not but feel for the pauperised coal owners who were asked to take precautions against the loss of lives of workers in a most dangerous industry, and he did not think hon. Members should have less regard for their own fellow-subjects in another quarter of the country, where it was not a question of lives at all but of men, very needy men many of them, being mulcted by a Bill of this kind. The right hon. Gentleman said that the situation was different in England. He believed it was, having lived in the two countries and having been both a tenant and a landlord. There was no need, however, to press this legislation for either of the two countries. The right hon. Gentleman had said that because the Acts of 1870 and 1881, which applied this class of legislation to land in Ireland, had been passed, it was necessary to bring forward this measure, but that was no reason for applying the provisions of those Acts to the towns in Ireland. The right hon. Gentleman ought first to have shown how the land in Ireland and the town houses in Ireland were in the same position. He had always thought until he heard the right hon. Gentleman that the reason why the Land Acts were passed was that there was only a limited quantity of land in Ireland, and, agriculture being the staple industry there, there was great land hunger. But was there any hunger in regard to houses? Let any man walk through Dublin or the country towns in Ireland, and see the condition into which sometime prosperous streets had fallen. It was one of the most lamentable things in Ireland to walk through those streets and see the state of dilapidation of the houses and the number of houses to let. So far from there being a demand for houses or anything like house hunger, landlords could not get tenants to occupy their houses, and that made the whole difference in regard to applying the principles of the Land Act to this sort of property in Ireland. His own experience both as tenant and as landlord agreed with that of others, that there was nothing in the condition of house property in Ireland in the least comparable to that land hunger which formed the justification of the principle of the Land Acts of 1870 and 1881. He was interested in a number of houses through some relatives, and through no fault of his own the management devolved upon him. He could get nothing out of them, and there was no demand made upon him for those houses. On the contrary, he had always been glad enough to let the houses so as only to pay expenses, and he was more than proud to say that he had got rid of his whole interest in the property, which had always been a nuisance to him. As a tenant he paid a considerable fine on the purchase of a lease in one of the squares in Dublin. He spent a considerable amount of money on improving the house, but so far from getting compensation for improvements he could not get anybody to take an assignment of the lease, and he was glad to get the landlord to take it off his hands without any expense to himself. A friend of his the other day was very glad to assign the lease of a house, upon which he had spent a considerable amount of money, to a man and give him £30 a year to take it off his hands. In that state of facts what comparison was there between land and houses? It was ridiculous and silly to apply to houses in Ireland the provisions of the Acts of 1870 and 1881, as the right hon. Gentleman had announced his intention of doing. On the question of urgency the right hon. Gentleman had once more trotted out to the House the case of Lord Clanricarde and Mr. Ward. Lord Clanricarde had been the standing bogey ever since he came into the House, and he had been the sole excuse for half the Land Acts passed. But what was true in regard to this matter, and it showed the futility of trying to pass legislation on an individual instance, was that in Lord Clanricarde's case, if it were inquired into to-morrow by a committee, it would be found that if there was one man who suffered less than others by the land legislation passed by this House, it was this very Lord Clanricarde. He ventured to say that in legislating against Lord Clanricarde, with whose crimes he was not acquainted, the House was making a mistake. He knew that he was a landlord who lived away from Ireland and spent no money there, but had the House injured him by their legislation? He did exactly the same still, and, as he had said, if an account were taken they would find that there was not another man who throughout the whole of the land war had got more out of his property than Lord Clanricarde, but by Parliament's legislating against him ruin had been brought upon men who had lived on their property and had spent money in improving the condition of their tenants. The rents of these men had been cut down out of all proportion to the reduction of Lord Clanricarde's rents, and very few of that nobleman's tenants went into the Land Court at all. Still, there were complaints of the disregard by the noble Lord of his duties and obligations. There could be no greater fallacy than to take the case of one man in order to justify legislation of this kind. The arguments which had been brought forward on the other side had not held water when examined by the light of the real circumstances of the case, and, so far as he knew, no argument had been adduced which showed that this matter was urgent in regard to the necessity of dealing with the tenancy of houses in Ireland. Let there be no delusion. In passing this Bill they could not stop the progress of the movement and such legislation could not be stopped. The Land Acts of 1870 and 1881 led to subsequent Acts by which they had to buy out the landlords of Ireland. What they did by such legislation as this was to set up a system which in a few sessions more would necessitate their buying out the system now being set up, exactly in the same way as the Irish landlords in consequence of the Acts of 1870 and 1881 had had to be bought out. He had not the least sympathy with landlords who confiscated tenants' improvements, and if this were a Bill which made provision as regarded improvements and did not interfere with existing contracts he would support it; but he objected to the retrospective scope of the Bill, to its principle of compensation for disturbance, which, whatever might be said, would set up dual ownership, and to its interference with free contract. The moment they set up the intervention of the Court between landlord and tenant in dealing with property they set up the provisions enabling one man to deal with another man's property which were embodied in the Act of 1870. He objected to the provision of the Bill which prevented parties entering into any contract in the future. Nothing could be more absurd than to tell the House that with regard to houses easily available all over Ireland parties were not able to enter into a contract on a fair basis. Let the House consider for a moment how absurd this Bill was without limitations. An insurance company, a bank, or a large commercial undertaking were to be absolutely prohibited from going into the large streets of the big cities of Ireland, and entering into a contract such as they would be allowed to enter into in Fleet Street in the City of London. He wished he could believe that the Bill would work in the way that Nationalist Members wished. They thought it would work in such a way that the tenants of the small houses would be in a better position. He, on the contrary, believed they would be in a worse position. The men who owned these houses would be compelled to provide against the obligations that would be put upon them by this Bill either by raising again the rents of the houses or leaving them to fall into decay and disuse. Even if some benefit was to be given to the existing occupiers—a thing which he entirely disbelieved—with such a Bill as this before him, what man in Ireland would be fool enough to invest his savings in building houses in the future? It would be better for him to put his money in other investments in which he would not be hampered and harassed as he would be on each change of tenants, first by a lawsuit and then by having to pay compensation for damage by disturbance. He believed that since the Land Acts of 1870 and 1881 every landlord had been anxious to get back as much land as he could into his own hands, because he did not wish to be troubled with the necessary litigation which would arise by reason of there having been set up tribunals to interfere between him and his tenantry in relation to his property. That was a matter they could deal with, because there was at present in Ireland an agitation going on and a Commission sitting to deal with the question of unoccupied land in the possession of landlords. They could take it out of their hands. They could compel them to let it out in farms if the country was prepared to go in for such drastic interference with the rights of property. But while they were able to do so in regard to land, that course would be impossible if the effect of this Bill was to deter the owners of land from spending money in erecting buildings upon land. They could not compel the landlords to spend their money in erecting such buildings. But above all they were conferring upon the Irish people by this Bill—the people of Ireland who could ill afford it—the expense of thousands and thousands of lawsuits in which the cost would be out of all proportion to the compensation recovered. They had set up a tribunal with valuers, counsel and solicitors and with an appeal to the High Court—all in reference to small claims arising out of the creation of so-called improvements to these houses. They were raising questions of the greatest difficulty and nicety. The Government was passing a Bill for which no reason had been put forward, and which, so far from conferring any benefit on the community of Ireland, would shake the confidence of those who had invested their savings in this class of security, and in the long run the persons who would suffer would be those tenants, who by reason of the Bill would be charged higher rents.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) said the right hon. Gentleman began his remarks by referring to the insufficient time which had been allowed for the discussion of the Bill upon the Report stage. He would point out that this Bill was discussed in Grand Committee most fully in all its details, and he believed as large a number took part in those discussions as in the discussions on Report. There was no restriction upon the discussion in Committee. There were powerful arguments used as regarded the right of the landlord, and the whole discussion occupied only four days. A day in Grand Committee consisted of only three or four hours. The Government very naturally thought that when four short days were sufficient for the Committee discussion the Report stage might have been concluded within three long working days. On the Report stage the time was not spent as it might have been. Amendments of the most trivial character were moved by Members representing English constituencies not really dealing with the matters that concerned the Bill, but dealing more with English matters, and the discussions in point of time were entirely out of proportion to the importance of the Amendments. The result was that the really important matters in the later clauses could not be discussed in the time left to the House. That was not due to the action of the Government in limiting the discussion to three days, but to the way in which hon. Gentlemen on the opposite side of the House, representing the landlords' interest, had used the time at their disposal. The right hon. and learned Gentleman the senior Member for Dublin University had argued that there was a great difference between house property and land in Ireland ; that there was a great deal of land hunger and an enormous demand for farms which did not exist in the case of houses ; and that therefore there was no case for exceptional regulations as regarded house property.

SIR E. CARSON : No ; my argument was that if that was so there was no analogy between the cases of town and agricultural holdings as the Chief Secretary had argued.

MR. CHERRY said he understood the right hon. and learned Gentleman's argument to be that, owing to the fact that there was a large number of vacant houses in large towns in Ireland, it was unnecessary and improper that tenants should obtain compensation from landlords.

SIR E. CARSON said if the right hon. and learned Gentleman had listened to his argument he would have seen that he was answering the argument of the Chief Secretary, who had said that the reason for bringing in this Bill was that the same principle had already been applied to land. He was pointing out that, while as regards land there was no free contract, as regards houses there was free contract.

MR. CHERRY said that if the facts were as the right hon. and learned Gentleman stated, and if there was such a glut of houses and such an absence of tenants, what excuse or justification was there for a landlord turning existing tenants out of their houses ? He reminded the House that under the Bill no landlord was compelled to pay one penny of compensation unless he turned his tenant out of a house. It was clear as noon day that if a landlord did not wish to pay compensation, all he had to say to his tenant was, "continue your tenancy and pay me the same rent as you have hitherto paid me." Under such circumstances no landlord was compelled to pay compensation unless for his own purposes he chose to turn the tenant out of his tenancy. If he did so the Bill only compelled him to pay for the increased value he himself obtained at the time he terminated the tenancy. That was a matter of common sense, common justice, and common fair play. So far as regarded the retrospective character of the Bill, he failed to see any difference between the rights of a man for compensation for improvements whether those improvements were made in 1904 or 1907. Surely it would not follow that owing to a particular procedure or a particular Bill a man should be deprived of his remedy for compensation for improvements. The right hon. and learned Gentleman's second objection was to compensation for disturbance. The question of compensation for disturbance did not, and could not come before the Court until the tenancy had been finally determined and there was no longer any question of arranging terms. The Court would have to determine whether the offer made was reasonable or unreasonable, and there was no justification for the assertion that this clause would necessarily involve the fixing of rents. It did nothing of the kind. It applied to the conditions only in the one particular case when the landlord improperly turned his tenant out and so injured his business. As to the objection that the Bill interfered with freedom of contract, he could only say that this was not the first time that the House had interfered with freedom of contract, nor would it be the last. It appeared to him that all the objections made upon this Bill by the other side had been amply, fully, and frequently answered in the Report stage, and he did not think it was necessary for him to say anything more about it.

Mr. FELL (Great Yarmouth) said that in the course of his business career he had frequently noticed that in wills and settlements in England lawyers were in the habit of putting in a provision that the funds were not to be invested in mortgages of house property and freeholds in Ireland. As a young man, he wondered why that was so. But after the Acts which had been passed during the last forty years, there could be no wonder that lawyers who settled these drafts should put in such a provision. It was a pity that it should be so, and that it was so he could only imagine was due to the legislation which had taken place with regard to Ireland. What had taken place in Ireland since the date of the passing of the first Land Act? The population then was 5,400,000. It was now 4,300,000—a reduction of more than 1,000,000, since the first Act giving dual ownership of land and houses was passed. It was now desired to apply the same principle to town property. With reference to these matters, one could only judge of what would happen in the future by that which had happened in the past. The country knew what had happened in regard to land in the past, and therefore they could judge what would happen in the future with regard to these town tenancies. Would anybody in the future lend money on land or house property in Ireland? This Bill had so scared people that they asked themselves was it possible that house property in Ireland could ever by any means be improved. It would follow as certain as this Bill was passed that men would not put any more money into house property in Ireland, and in that case the property would go down in value. The effect of creating dual ownership was to depreciate the value of house property in Ireland. Was there anywhere in the world where dual ownership had proved successful?

Question put.

The House divided:—Ayes, 201; Noes, 28. (Division List No. 455.)

AYES.

Acland, Francis Dyke
Alden, Percy
Ashton, Thomas Gair
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnes, G. N.
Beauchamp, E.
Beaumont, Hn W.C.B.(Hexh'm
Beck, A. Cecil
Bell, Richard
Bethell, Sir J.H(Essex, Romf'rd
Billon, Alfred
Black, Arthur W.(Bedfordshire)
Boland, John
Bramsdon, T. A.
Branch, James
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Bryce, Rt.Hn James(Aberdeen)
Burke, E. Haviland-

Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn Richard Knight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm J(S.Pancras, W.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H(Sussex, E. Grinst'd
Corbett, T. L (Down, North)
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crean, Eugene
Crombie, John William
Crooks, William
Crossley, William J.
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W H(St. Pancras, N)
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Dunne, Major E. Martin(Walsall
Elibank, Master of
Esmonde, Sir Thomas
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Greenwood, Hamar (York)
Gulland, John W.
Gwynn, Stephen Lucius
Hardie, J. Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r.)
Hart-Davies, T.
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Henderson, J.M (Aberdeen, W.)
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.
Higham, John Sharp
Hobart Sir Robert
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hudson, Walter
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Mackarness, Frederic C.
MacNeill, John Gordon Swift
MacVeigh, Charles (Donegal, E.
M'Callum, John M.
M'Hugh, Patrick A.
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Nicholson, Charles N(Doncaster
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Grady, J.
O'Hare. Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Philipps, Col. Ivor (S'thampton)
Pollard, Dr.
Power, Patrick Joseph
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, T.F (Wolverh'mpt'n)
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Rogers, F. E Newman
Rose, Charles Day
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Seddon, J.
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Sloan, Thomas Henry
Snowden, P.
Soares, Ernest J.
Steadman, W. C.
Stewart, Halley (Greenock)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Tennant, Sir Edward(Salisbury
Thomas, David Alfred (Merthyr
Thorne, William
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Wason, Eugene(Clackmannan)
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wilson, Hn. C.H.W. (Hull, W.)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Ashley, W. W.
Banbury, Sir Frederick George
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cavendish, Rt. Hn. Victor C. W.
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt. Hn. J A.(Worc
Craig, Charles Curtis(Antrim, S.
Dixon, Sir Daniel
Fell, Arthur
Finch, Rt. Hon. George H.
Gibbs, G. A. (Bristol, West)
Hervey, F.W.F (Bury S. Edm'ds
Kimber, Sir Henry
Law, Andrew Bonar (Dulwich)

Liddell, Henry
Lockwood, Rt. Hn. Lt. Col. A. R
Lonsdale, John Brownlee
Mason, James F. (Windsor)
Morpeth, Viscount
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Rothschild, Hon. Lionel Walter
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn J. G. (Oxf'd Univ.
Thomson, W. Mitchell-(Lanark
Vincent, Col. Sir C. E. Howard
Wilson, A. Stanley (York, E. R.)

TELLERS FOR THE NOES—Viscount Valentia and Lord Balcarres.

Main Question put, and agreed to.

Bill read the third time.

A verbal Amendment made.

Bill passed.

BURIALS BILL.

[SECOND READING.]

Order for the Second Reading read.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea), in moving the Second Reading of this Bill, explained that its object was to rectify an unsuspected defect in the previous Act, which had resulted in much confusion in the Law Courts, inconvenience to the local authorities, and misapprehension as to what ought to be the future administration of cemeteries and burial grounds. Under Section 9 of the Burial Act of 1855 it was indicated that no burial ground within 100 yards of a dwelling house should be used without the consent of the owner, lessee, and occupier of such dwelling. It was not assumed either in 1855 or since that the consent of owners, lessees, or occupiers of dwelling houses was necessary after once the cemetery was used, but a decision of the Law Courts in June last had compelled the Government to introduce this Bill with the consent and approval of the whole House, and at the earnest request of 1,500 burial authorities. In his judgment the decision of the Court was right and the defect in the Act was due rather to its ambiguity as it left Parliament than to the Court. The Bill provided in its first clause that the consent of the owner, lessee, and occupier of a dwelling house to the use for burials of any ground used for a cemetery mentioned in Section 9 of the Burial Act of 1855, should not be and should be deemed never to have been required in any case where the dwelling house was or had been begun to be erected after any part of that ground had been so used or appropriated. The Bill did not interfere with agreements, contracts, or undertakings of any kind; it simply dealt with the difficulties pointed out in June last, and for that reason he asked the House to consent to its Second Reading.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. John Burns.*)

MR AUSTEN CHAMBERLAIN (Worcestershire, E.) cordially welcomed the Bill, and commended the right hon. Gentleman for acting so promptly in the matter. It was a subject of great urgency to local authorities. He mentioned that in his own district there was the case of a cemetery of 57 acres which, if the decision of the Court stood, would be reduced to 15 acres. There were 3,600 graves that had been purchased within 100 yards of the limit of the cemetery, and the local burial board would have to compensate the owners at a cost of £15,000 if the decision of the Court were allowed to stand.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

RECORDERS, STIPENDIARY MAGISTRATES, AND CLERKS OF THE PEACE BILL.

[SECOND READING.]

Order for the Second Reading read.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland), in moving the Second Reading of this Bill, said the Bill was non-controversial. The hon. Member for Blackpool had indeed put down a Motion against the Second Reading, but that was in order to draw attention to a point on which the suggestion of his hon. friend opposite would, he thought, effect an improvement in the Bill, and he was prepared to accept it in the Committee stage. As the law now stood, a duly appointed deputy might act, either in the case of the illness or the absence of a recorder, stipendiary magistrate, or clerk of the peace, but his functions lapsed in the event of the death of such official. The result had been that serious difficulties had more than once arisen. In one case, at Grimsby this year, the sessions were to be held on the 10th April, and the recorder died on the 9th. The functions of the deputy ceased, and the result was that the sessions had to be postponed for several weeks. Several persons were detained six weeks for trial, and one who was in prison the whole of that time was found to be innocent. In another case, at Chester, two men who pleaded guilty were liberated because, on account of the death of the clerk of the peace; the recorder holding that it was doubtful whether his court was legally constituted, he had no power to try the case. It was quite clear from those two cases that the state of the law required to be remedied, and this Bill was brought in for that purpose, and that purpose only.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Herbert Samuel.*)

MR. ASHLEY (Lancashire, Blackpool) said he did not wish to delay the passage of the Bill. The hon. Member in charge of the measure had met him in a very fair and courteous manner, and had done all that was possible to meet him in the matter, by promising to accept an Amendment in Committee, and there was nothing further to be said. At present there was no law to say when a permanent recorder should be appointed, and his objection to this Bill had been that under it a temporary recorder might be appointed to what was in effect a permanent position. The hon. Member, however, had disposed of that, and he now had no desire to prevent the Bill going through.

Question put and agreed to.

The Bill was read a second time, and committed for Monday next.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-four minutes before Four o'clock till Monday next.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Monday, 3rd December, 1906.

PRIVATE BILL BUSINESS.

Ardrossan, Saltcoats and District Tramways Order Bill, (No. 220.) A Bill to confirm a Provisional Order relating to Ardrossan, Saltcoats and District Tramways.

Dumbartonshire Tramways Order Confirmation Bill, (No. 221.) A Bill to confirm a Provisional Order relating to Dumbartonshire Tramways.

Dunfermline and District Tramways Order Confirmation Bill, (No. 222.) A Bill to confirm a Provisional Order relating to Dunfermline and District Tramways. Were presented to the Earl Beauchamp (for the Lord Hamilton of Dalzell) (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, Sections 8 and 9); read 1^{a}, and to be printed.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petition for amendment of; of Catholic Congregation of St. Edmund, Amberley; read, and ordered to lie on the Table.

TRADE DISPUTES BILL.

Petitions for amendment of; of Railway Companies, Shipowners and Colliery Owners in South Wales; Cardiff Shipowners Association; Cardiff Incorporated Chamber of Commerce; Scottish Ironmasters Association; Lanark Malleable Iron and Steel Manufacturers; Colliery Proprietors in Monmouthshire; Shipowners, etc., in Newport (Monmouthshire); and Merchants and Brokers in Newport (Monmouthshire). Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

NATAL.

Further correspondence relating to Native disturbances in Natal (in continuation of [Cd. 3027.], July 1906).

TRADE REPORTS: ANNUAL SERIES.

No. 3734. Switzerland.

No. 3735. Uruguay (Trade and Finances for 1905).

No. 3736. Persia (Trade of Azerbaijan for 1905–6).

WORCESTER ELECTION COMMISSION.

Report of the Commissioners appointed to inquire into the existence of corrupt practices at the Worcester Election, 1906. Report and Minutes of Evidence.

TREATY SERIES, No. 18. (1906).

Agreement between the United Kingdom and Belgium respecting commercial travellers' samples; signed at Brussels, 10th November 1906.

BOARD OF EDUCATION.

Report of the Board of Education for the year 1905–6.

Presented (by command), and ordered to lie on the Table.

POST OFFICE TELEGRAPHS (INCLUDING TELEPHONES).

Account showing the gross amount received and expended on account of the Telegraph Service during the year ended 31st March 1906, and the balance of the expenditure over receipts, and additional statement. Laid before the House (pursuant to Act), and ordered to lie on the Table.

TOWN TENANTS (IRELAND) BILL.

Brought from the Commons; read 1^{a}; and to be printed. (No. 223)

EDUCATION (ENGLAND AND WALES) BILL.

Further considered on Report (according to Order).

*The Marquess of LANSDOWNE moved to amend Clause 4 so that a local education authority should afford extended facilities where, as the result of a ballot, it appeared the parents of the majority of the children attending the school desired those facilities, and either that there was public school accommodation in schools not affected by a permission given under this section for any child whose parent declared his objection to the facilities, or "that suitable provision would be made in the school or elsewhere giving to the children of those parents who declared their objection to the facilities religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870."

The noble Marquess said: My Lords, the first Amendment stands in my name, and I desire to say a few words as to the reasons which have led me to move it. It is designed to remedy what we regard as a hard case arising under the Bill as it now stands, a hard case of which, I venture to think, noble Lords opposite will scarcely be found prepared altogether to deny the existence. What that hard case is will best appear to your Lordships if you will be good enough to look at the first sub-section of Clause 4 as it stands in the Bill. You will see that under that sub-section a local education authority is to afford extended facilities under Clause 4 on the following conditions. First, that it appears from the result of the ballot that a sufficient majority of the parents of the children desire that those facilities should be afforded; and, secondly, that there is accommodation in other schools for any child whose parent declares his desire for a different form of religious instruction.

This is what may happen under the clause as now worded. An application may be made for these extended facilities; the public inquiry is held; the ballot takes place; the sufficient majority is disclosed; but if at the last moment it proves to be the case that any child whose parent declares his desire for a different form of religious instruction is without accommodation in another school, the extended facilities may not be afforded; so that literally it is in the power of the parent of a single child to, I might almost say, defraud the school of the facilities to which it would naturally and obviously be entitled. I cannot believe that it was the intention of your Lordships' House that the clause should be left in that shape; and so far, at any rate, as I was concerned, I voted for it in the anticipation that I should support Amendments which were put down by my noble friend Lord Cadogan, which would have had the effect of providing for these exacting infants' religious instruction of the kind desired, if not in an alternative school, then in the school itself or in some other place. But as your Lordships remember, Lord Cadogan's Amendment was not pressed to a division, and the clause, therefore, remains in its present extremely inconvenient shape.

I should perhaps point out that the Amendment which I have moved stops far short of the Amendment proposed by my noble friend Lord Cadogan. Your Lordships may recollect that Lord Cadogan contemplated that opportunities for religious instruction should be afforded for a minority comprising children of more than one religious denomination—a result which might, as was pointed out at the time, have led to a certain amount of confusion, and he also contemplated that, where the dissentient minority was a substantial one, there the staff of the school receiving the extended facilities might be recruited with special reference to the needs of the minority. Those stipulations disappear from the Amendment which I have placed on the Paper.

I would now call your Lordships' attention to the precise purport of my Amendment. We desire to cure what we believe to be the defect in the clause by providing that if all the other conditions necessary for obtaining extended facilities are fulfilled, those facilities shall be given if the local education authority is satisfied upon either of two points. The first is that there is alternative accommodation for the child or children in another school, and the second is that suitable provision can be made in the school or elsewhere—and I call the particular attention of the House to this—for giving Cowper-Temple teaching to the child or children of those parents who declare their objection to the facilities which the school seeks to obtain. That is, in our view, a very necessary safety valve; and I must say that it seems to me that if you do not provide it you may find that the necessity of proving the existence of alternative accommodation will in a very large number of cases place an absolutely insuperable obstacle in the way of a school really entitled to extended facilities.

I dwelt just now upon the fact that the religious instruction which we desire to provide for the minority is to be Cowper-Temple teaching, and I will tell the House briefly why we say that. In the first place, if the matter were not so limited, you might find a demand for several different kinds of religious instruction for the children of whom the minority is composed. That might have inconvenient results, but, apart from that, we think it reasonable to say to the parents of the minority, "You must be content if you get for your children that kind of religious instruction which you would be entitled to get if the school failed altogether to obtain extended facilities." We get over in that way the difficulty which was apprehended in regard to the teaching of a multiplicity of religious. We allow only for Cowper-Temple teaching, and we allow for that teaching only, remember, if the local education authority is satisfied that the circumstances admit of what is described in the Amendment as suitable provision for giving that kind of teaching. That is to say, the local education authority is perfectly free to say, "We have looked into the circumstances of this school, and, owing to the peculiarity of those circumstances, we regret to find that suitable provision cannot be made." Then the whole thing falls through, and the extended facilities cannot be obtained. We believe that this proposal, thus limited and carefully guarded, is a wholly innocuous one, and that it will be, if adopted, the means of remedying an unintentional defect, I think I may say, in the Bill as it now stands, and of relieving the children of the minority of the undoubted hardship which would be occasioned to them were some step not taken to prevent this injustice being done.

Amendment moved—

"In page 4, line 18, after the words 'and' to insert the word 'either'; in line 21 to leave out from the word 'his' to the end of line 23, and to insert the words 'objection to the facilities; or (c) that suitable provision will be made in the school or elsewhere giving to the children of those parents who delare their objection to the facilities, religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870." — (*The Marquess of Lansdowne.*)

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, some of us on this side of the House thought that the faculty of astonishment had been exhausted by some of the Amendments placed on the Paper at previous stages of this Bill from different parts of the House, but I am bound to say that the fact that this particular Amendment should have been moved by the noble Marquess the Leader of the Opposition at this stage revives that emotion in its most acute form. All I can say is that I trust that before this particular olive branch is transmitted to another place your Lordships will subject it to a very severe examination in order to see what the effect of the noble Marquess' Amendment really would be. As regards the first part of the Amendment, it is quite true that the words as they stand in paragraph (*b*) of Clause 4 would not have effected his purpose, or, I think, anybody's purpose, but the noble Marquess will remember that they are not our words. They were inserted by noble Lords opposite in place of our much more harmless words.

I pass from that to consider what the substance of the Amendment moved by the noble Marquess is. The claim of the noble Marquess and of the most rev. Primate, who we are sorry is still absent from our debates, all through has been that they have not altered the substance of the Bill, and that all they have done is to enforce our declared intention to make the facilities offered under the Bill real and genuine, and the noble Marquess spoke of the misrepresentation to which he and his friends had been subjected outside this House on that point. They were quite unwilling to admit that the substance of the Bill was in any way altered. But when you proceed to apply the Clause 4 plan to an entirely different class of schools it is really playing with words to say that you are doing nothing to alter the structure of the Bill.

What are the effects which the noble Marquess' Amendment would have upon our clause? If Cowper-Temple teaching is to be given in the school it operates in one way against what I should have thought would be the wishes o a great many who would conduct these Clause 4 schools—it would prevent their being homogeneous schools, and it would destroy their special atmosphere and special character. On the other hand, the minority, instead of finding accommodation in some other school, may be obliged to be subjected to the whole religious atmosphere of the school, which, other things being equal, they might desire to avoid; or if you are going to find this accommodation for Cowper-Temple teaching outside the school, you subject the minority to some considerable inconvenience. In every case you oblige the minority to exercise the conscience clause under circumstances of considerable difficulty.

But, my Lords, after all, the point is not so much what will happen in urban schools. I want noble Lords to consider what will be the effect of this clause upon rural schools in single school areas. There is nothing whatever that I can see in the noble Marquess' clause to prevent its provisions applying to a vast majority of the village schools of England. All that has to be done in such a village school is to find two-thirds of those who vote willing to declare for a Clause 4 school. Undoubtedly in the case of village schools in many parts of England those conditions could largely be complied with, and the minority might receive Cowper-Temple teaching in a class-room, or some friendly farmer might lend a room, or some other accommodation might be found in the village. The effect would be that this single area school, the type of school for which Clause 3 was devised and where by common consent of noble Lords opposite there has existed a Nonconformist grievance—this school would be carried on as a Clause 4 school, with its definite Church instruction five days a week.

I really wonder whether the noble Marquess, in devising his clause, contemplated that that state of things was likely to arise. It seems to me that from that point of view this Amendment is a more objectionable one than that of the right rev. Prelate the Bishop of Oxford, which noble Lords opposite would not accept. That Amendment provided for five days facilities, but it did leave the appointment of the teacher on the Clause 3 terms, and it did not do what the noble Marquess' Amendment certainly will do, provide for the turning of a great number of these single area parish schools into Clause 4 schools with all the advantages and privileges and the difficulty about the minority which necessarily belong to those schools. The noble Marquess says it all rests with the local authority, but the local authority, I take it, under the noble Marquess' Amendment, would be expected to give this leave if suitable provision in the shape of class-rooms or some such accommodation were given. In any case, there is no reason for giving a local option in this particular kind of matter; that is to say, for leaving a local authority with strong Church views to turn a great majority of these village schools into Clause 4 schools, whereas a local authority of a different kind might decline to give that leave. I cannot help once more asking the noble Marquess whether he has really considered all these points; and if he would agree to withdraw the clause at this stage and give some consideration to what I have said as to the effect of this Amendment upon rural areas, I verily believe he would not bring it up again on the Third Reading of the Bill.

LORD BELPER said that he had objected to Lord Cadogan's Amendments giving facilities to all denominations, because it was putting a duty on the local authority which could not be fulfilled, and making them responsible for the teaching of all sorts of religion demanded by the minority. It seemed to him perfectly novel to make the local education authority responsible for different sorts of religious teaching, and he felt that it would be quite impossible in practice to work such a provision satisfactorily. But he had not the same objection to the proposal that Cowper-Temple teaching should be provided in a Clause 4 school. The local authority was already responsible for providing such teaching in every council school. It seemed to him that the greater part of the noble Earl's argument went to the two-thirds Amendment which had been already carried. Nearly the whole of the noble Earl's argument rested on the point that there would be an enormous number of schools where there might be a two-thirds majority wishing for the special facilities, and that if it were provided that those facilities should be given in all cases where provision could be made for the minority to have undenominational teaching it would increase the number of Clause 4 schools. It seemed to him that the noble Earl had argued against the minority being provided with any religious education at all. He thought it was very hard to argue that, because two-thirds of a school were to have a special denominational teaching, therefore the rest of the school were to have no religious teaching at all, because that practically would be the effect. They had arrived at an *impasse* with regard to the arguments that had been used. He did not wish to give any vote which would have the effect of extending Clause 4 schools beyond the purpose for which they were intended, but, so far as he understood the Amendment moved by the Leader of the Opposition, its only object was to afford reasonable facilities for the religious teaching which the local education authority had to give those children who were left in the school and who could not accept the religious teaching of the majority of the school.

THE LORD BISHOP OF LONDON said that the Lord President had not attempted to meet the grievance in those cases where one or two children might be a bar to Clause 4 facilities being given to a school. It would generally be impossible to find an alternative school for the minority. He had always recognised the Nonconformists' grievance, and in Spitalfields, where it was discovered that there were some 100 Jews, the Church itself invited the Jewish Rabbi to come in and deal with that minority. He wished that the clergy had always, where the grievance was felt, met it by inviting the Nonconformist minister to give religious instruction to the Nonconformist children. What the noble Marquess the Leader of the Opposition now proposed was that what was done voluntarily in Spitalfields should be carried out generally, and that the minority should have the teaching their parents desired.

***LORD STANLEY OF ALDERLEY** said that noble Lords did not realise the effect of the Amendment. They talked as if they were entitled to have a Clause 4 school in every single-school district, and as if they were doing a kindness in providing for the minority. The noble Marquess proposed that in a single-school district the children of dissentient parents should be sent somewhere outside the school, during the time set apart for religious instruction, and this was described as an opportunity to give them religious teaching. The Clause 4 schools had been asking for an "atmosphere." How, then, did they propose to meet the case of children to whom this special atmosphere was objectionable? They were to be made to breathe it for nine-tenths of the day, and to be sent elsewhere for one-tenth of the day to get a little fresh air. The proposition was preposterous.

THE EARL OF CAMPERDOWN said that the Bill as it stood did not fulfil the desires of any one, and the President of the Council did not propose an alternative. What could the noble Earl suggest? One child could prevent a Roman Catholic school from being started anywhere. They were all agreed that that was not satisfactory. It seemed to him that the Amendment was a just one.

VISCOUNT HALIFAX said that if the Government rejected this Amendment they refused the right to two-thirds of the parents to have the religious teaching that they desired for their children. The Amendment was only doing that which made Clause 4 operative in regard to a class of schools which it was the desire to create, and it was a subject of common notoriety that those who cared for Church teaching had been willing that the Nonconformists should have every facility in the Church schools. The Government objected to anything which gave a right to the parents to have the religion taught that they wished, and he maintained that they should have some little regard for the "atmosphere" surrounding the minority in undenominational schools.

The Marquess of RIPON and the Marquess of SALISBURY both rising to address the House, the Lord Privy Seal gave way.

THE MARQUESS OF SALISBURY said he was very glad that the noble Marquess the Leader of the House was about to address their Lordships, because he might remedy a deficiency in the otherwise very skilful speech of the noble Earl the Lord President. Several speakers had pointed out that, notwithstanding that the noble Earl had criticised the Amendment, he had, though the Minister in charge of the Bill, abstained altogether from defending the provisions of the measure itself. The Bill as it stood when it reached their Lordships' House was in this respect absolutely unworkable. He did not, however, desire to go back into those old controversies. Nobody pretended that the ballot, as the noble Earl had proposed it to their Lordships, with paragraph (*b*), could have been worked, because the provision involved a revelation of who had voted in the ballot. That provision had disappeared in Committee.

But that was not the only respect in which the Government's proposal was unworkable. His noble friend the Leader of the Opposition had put to the noble Earl the difficulty. It was not a rural difficulty or an urban difficulty; it belonged to both. They might have a school, say, of 500 children, which fulfilled in every respect the conditions necessary to make it a Clause 4 school. There was, however, one child the parent of which demanded alternative accommodation, and, if there was no alternative accommodation outside the school, thereupon, said the Government, the remaining 499 children were to be denied all the advantages of a Clause 4 school. The case could be put even more strongly. A school such as he had described might have become a Clause 4 school; there might have been unanimity among the children, and the school might have continued a Clause 4 school for four, five, or even ten years. The whole school would have been organised on a Clause 4 basis, and everything would have proceeded on that foundation. It might be a Roman Catholic school. The Roman Catholic population of the district would gradually collect around it, but after it had continued, say, for ten years, a Nonconformist parent might suddenly come to live in the district. He would be compelled under the Act of Parliament to send his child to that school. He would demand the alternative accommodation, and the whole of the system which had been continued to the satisfaction of all concerned for, perhaps, ten years would have to be cast aside and the school reduced to the level of a Cowper-Temple school.

He maintained, with absolute confidence, that a provision capable of working in any such way was *ipso facto* condemned, and could not be defended before Parliament. When his noble friend the Leader of the Opposition put the case generally it did not earn one syllable of notice from the noble Earl; he had, therefore, put the case in detail. He held that the Bill was wholly unworkable. If the Bill remained in the form in which the Government desired it, let them conceive the pressure which would be exercised. In a district in which there was no alternative accommodation, in which the population desired to be on the Clause 4 basis, there might be a recalcitrant minority. He asked the House to conceive the pressure that would be put on the local authority to build a school to accommodate those children. Were their Lordships prepared to pass a provision which would involve such pressure on the local authority? He also asked their Lordships to realise the pressure that would be put on Nonconformist parents. Let them imagine the case of a school in which there was a small minority of Nonconformist children. A majority of two-thirds desired the Clause 4 system, but there was, however, a minority, and there was no alternative accommodation outside the school. Their Lordships would realise the sort of pressure that would be brought to bear on those parents. People would go to them and say, "Surely you are not going to make a row and upset us all. Surely you are going to accept the Clause 4 system, and are not going to demand alternative accommodation. You will put up with the teaching rather than cause your neighbours extreme inconvenience." That was the kind of pressure that would be exercised on the Nonconformist minority, and those noble Lords who believed in the tyrannous oppression of the squire and the parson would no doubt add a number of details of how the squire and the parson under those circumstances would behave, although, for his part, he was not prepared to endorse such charges.

Under the system of his noble friend there would be no such pressure. The thing would be perfectly easy. What would be said to the Nonconformist minority would be this, "Of course, you are entitled to choose instruction which will suit you. We will provide Cowper-Temple religion for you, and you will in that way suffer no grievance if we place this school on a Clause 4 basis." Surely that was a far better system than that proposed by His Majesty's Government, which would involve unfair pressure on the Nonconformist minority. One speaker on the other side had referred to the grievance of the Nonconformist minority's being compelled to remain in the denominational atmosphere. He thought their Lordships knew full well that noble Lords on the Opposition side of the House were prepared to do everything in their power to minimise as far as possible any grievance which the minority might put forward. If the Government had some way of protecting the interests of the minority better than the Amendment moved by Lord Lansdowne he invited them to state it. So long as the rights of the majority were recognised, by all means let the minority have every relief that it was possible for Parliament to afford. The noble Earl had said that under Lord Lansdowne's Amendment there was no advantage, or very little advantage, in the elasticity given by the word "suitable," because some local education authorities would avail themselves of that word in order to exercise the powers under this provision largely, and others would, on the other hand, exercise them narrowly, and so they would have differences of administration. And this from a Government which professed to believe in trusting the local education authority! The Government had all through pressed the necessity of fully trusting the local education authority. Noble Lords on the Opposition side were prepared to trust the local education authority, while maintaining the rights of the majority in this matter of religious education, to do what they could to secure to the minority all they could legitimately ask. He hoped the House would accept the Amendment.

*The LORD BISHOP of HEREFORD expressed his surprise that this Amendment should be moved. The whole plea in the earlier part of the debates was that it was absolutely necessary for the schools under consideration that they should have a distinctly denominational atmosphere. That being the nature of those schools, surely every fair-minded man must see that it would be a great hardship on the minority of children in those schools if they were set up in such a way that they had no choice of attending any other school. His own belief was that the great mass of moderate Churchmen outside politics would have nothing to do with these schools, but would prefer the plain, open atmosphere outside. It was said that the arrangement to accommodate the minority inside the school would be a elief to the rates, but the Amendment turned the whole arrangements of the Bill upside down. The representatives of the people could not look at such an Amendment. He was sorry the most rev. Primate was absent, because he could hardly imagine his well-balanced mind agreeing to this Amendment. It would be a positive misfortune if it were carried Even the Bishop of Oxford could hardly support it. His right rev. brother pleaded eloquently the other night, and gave a doleful picture of Church children in ordinary facilities schools having on three days a week to be taught by a Baptist schoolmistress. If that was such a hardship, what were they to say of all these schools in which there was to be this denominational atmosphere or influence all the time? He regarded the noble Marquess' Amendment as one of the most wrecking Amendments which had been put before the House. If it were any use, he would plead with the noble Marquess not to press the Amendment to a division. There must be many noble Lords opposite who were desirous to arrive at an accommodation with another place; and they must feel great misgivings about this Amendment, and he hoped they would vote against it.

The LORD PRIVY SEAL (The Marquess of Ripon): My Lords, this

Amendment is no doubt a very important one. It strikes, as it seems to me, at the very heart of the Bill. I have always imagined up to this time that it was agreed on all sides that there was a marked distinction between the cases of districts in which there was a choice of schools and the cases of single school districts. This is the first hint we have had from noble Lords opposite that they desire to extend the facilities granted under Clause 4 to single school districts. When His Majesty's Government placed Clause 4 in the Bill they did so with the distinct intention that it should be confined to districts in which there was a choice of schools; and in accordance with the fundamental principles upon which this Bill has been founded, in accordance with every declaration that His Majesty's Government have made upon this subject, it is wholly impossible for them to accede to so vital and extreme a change in the Bill as is involved in the Amendment of my noble friend opposite. I confess that I have been greatly surprised at the appearance of this Amendment, because I have always thought that it was agreed on all hands that the cases of single school districts was altogether different and altogether apart from the cases of districts where there were more than one school.

I have long come to the conclusion that it was a great error in the Act of 1870, to which I was a party, that it did not make that distinction, and that it dealt with single school districts in the same way as other districts were dealt with. I believe I took the liberty of stating that opinion some years ago in this House. I held it then, and I hold it now, and I do entreat your Lordships to hesitate before you deviate from what up to this time I believe has generally been understood to be an agreed matter. I am not in the smallest degree accusing noble Lords opposite of any breach of faith; but I always thought that the difference between these two classes of schools was admitted, and that they were to be treated differently. Clause 4 is suitable to those districts where there is a choice of schools; it is not suitable to those districts where that choice does not exist. The passing of this Amendment will have a grave effect upon the deliberation which the Bill will receive in another place, and I exhort your Lordships not to accept it.

THE LORD BISHOP OF SOUTHWARK pointed out that the noble Marquess had sat down, following the example of the Lord President, without saying one single word to meet the principal point of the attack. They were assured by those who looked carefully to the wording of the clause that the effect of proviso (*b*) was such that it deprived Clause 4, or went very far towards doing so, of all effective value whatever. In the absence of even the shadow of a suggestion from either the Lord President or the Leader of the House of any alternative method of meeting this great grievance, which, if left unsettled, would knock the bottom out of the special facilities, there was no other course but to go to a division on the Amendment.

THE DUKE OF DEVONSHIRE: I do not understand that any Member of the Government who has yet spoken has stated exactly how the Government desire to deal with this clause. It is agreed, I believe, on all hands that the form in which it stands, as amended in Committee, is not satisfactory either to the Government themselves or to those who sit on this side of the House, and I presume that it would be the proposal of the Government to revert to the original form of the clause. I understand that the objection taken on this side of the House to the wording of the clause as it originally stood was that the existence in a school of a single child of a different denomination, with the absence of alternative accommodation for that child elsewhere, would prevent the local authority from granting the special facilities to that school. I do not think it was the intention of the Government that the existence of a very small minority who might possibly be put to some slight inconvenience, not because there was no possible accommodation, but because it would be inconvenient for them to obtain that accommodation, should be a bar to the granting of extended facilities. Perhaps the Government will state at all events what their intention is with regard to this matter.

THE EARL OF CREWE: I can only speak again, of course, with the indulgence of the House, but I should like to say that it certainly is not our intention that where in practice all the conditions are fulfilled the existence of one extremely inconvenient child should be used to alter the whole character of the school. But, of course, what we say is that as a matter of fact it is very hard to believe that in districts where there are a number of schools—and it must be remembered that we do not intend these schools to be applied in any other districts—such a state of things would arise. As a matter of practice it would be found that the normal average of children would be provided for in the cases which we contemplate. It is perfectly true that in the case contemplated by the noble Marquess Lord Salisbury they would certainly not be provided for.

THE MARQUESS OF SALISBURY: I contemplated all the cases.

THE EARL OF CREWE: Well, in a very large number of the cases contemplated by the noble Marquess.

THE MARQUESS OF SALISBURY: If the noble Earl thinks that I regarded this question as confined to rural schools he is very much mistaken. There are a number of cases in urban districts where the difficulty would equally arise.

THE EARL OF CREWE: We have had no *data* as to that from noble Lords opposite. I can only say that it is not our opinion that difficulties will arise. We believe that in the vast majority of cases, if not in all, accommodation for the minority will be forthcoming elsewhere. I admit that in one sense the reduction of the number to two-thirds may have added to that difficulty, but that cannot be put down to our fault. We can only defend the Bill as it was introduced and as we voted in the course of the discussion. I am perfectly willing, in reply to the noble Duke, to consider whether it is possible to meet the point raised in any other way. But it is altogether impossible that in any circumstances we could agree to the clause as proposed to be amended by the noble Marquess opposite.

THE DUKE OF DEVONSHIRE: Do you propose to revert to the clause as it originally stood?

THE EARL OF CREWE: Yes, and to consider whether any words could be added to meet the noble Duke's point.

THE DUKE OF NORFOLK said the Amendment was intended to meet what was one of the most serious blots on the Bill. Paragraph (*b*) rendered Clause 4 a fictitious boon from every point of view. The question was grappled with in Committee, but very often their Lordships found themselves in a certain amount of fog and perplexity and somehow the sub-section rode through the storm triumphant. It was, therefore, necessary at this stage of the Bill to deal with the matter. In the great town of Preston, for instance, it would be impossible, as the clause now stood, to have a Clause 4 school, and there were many other towns similarly situated. The Amendment aimed at carrying out the avowed intentions of the promoters of the Bill that the special facilities should be real and effective.

*THE MARQUESS OF LANSDOWNE: I, too, can only address the House again by your Lordships' indulgence. I merely wish to call attention to two or three matters of fact. In the first place, the noble Earl the Lord President and the noble Marquess the Leader of the House have not attempted to deny that the grievance which this Amendment is intended to deal with is a grievance which has existence. In the next place, neither the noble Earl nor the noble Marquess have been able to suggest any mode of dealing with that grievance. That being so, our plan holds the field, and in my view it would be well that we should divide upon the Amendment. But I wish to add that if, between now and the last stage of the Bill, the Lord

President is able to bring up words that will deal with the point effectually and deal with it in his view more appropriately than my words, I for one should be ready to consider them with an open mind. At present, however, I do not care to let go this Amendment until I know what is to take its place.

On Question, "That the word 'either' be there inserted," resolved in the affirmative.

On Question, "That the words proposed to be left out stand part of the Bill," Their Lordships divided:—Contents, 45; Not-Contents, 131.

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On Question, "That those words be there inserted," resolved in the affirmative.

THE EARL OF CREWE: The next Amendment is to insert, after the word "school," the words "for facilities for religious instruction of a like special character." That is to meet a curious little point that was suggested, namely, that it would be possible, after facilities had been asked for for the majority, or even before, for the parents of a small minority, if that minority reached twenty, to come forward and ask for the facilities, knowing that they could not get them, but with a view of preventing anybody else getting them.

Amendment moved—

"In page 4, line 33, after the word 'school' to insert the words 'for facilities for religious instruction of a like special character.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CREWE: The next Amendment is also of a formal character. Under the present words extended facilities cannot be given if any rent is paid. It is thought that in some circumstances trustees might find it difficult to forego rent in order to get the extra facilities, and these words enable them to do so.

Amendment moved—

"In page 4, line 41, after the word 'school' to insert the words 'and the owners of the school house shall have power to forego the payment of any rent payable under any arrangement or order while extended facilities are so afforded.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CREWE: The next Amendment is to leave out Clause 5. I think it is generally agreed that in view of the more or less kindred Amendments which have been placed on the Paper the House will desire to leave out Clause 5. But it will be better, I think, to postpone any discussion on that point until we reach the new clauses. I therefore formally move that the clause be omitted.

Amendment moved—

"To leave out Clause 5."—(*The Earl of Crewe.*)

VISCOUNT LLANDAFF submitted that there was one part of Clause 5 which ought not to be omitted. Their Lordships would remember that in Committee a very useful Amendment was introduced by Lord Ashbourne giving an appeal to the owners against the action of the local education authority under Clause 4. The Amendments which their Lordships had just passed had largely extended the possible action of the local education authority. It would rest with the local education authority to say whether or not there was alternative accommodation in other schools in the area. It would rest with them to say whether suitable provision in the school or elsewhere could be provided. So far as he could see there was no appeal in the Bill from the decision of the local education authority. A perverse or hostile local education authority might decide these points wrongly, and, if so, the right to facilities was gone. He did not see that that point was covered by anything in the proposed new clause of the noble Earl, even as amended by the noble Duke. It was confined to cases where there was a failure to agree between the owners and the local education authority, but there was no appeal against a decision of the local education authority that there was no right to facilities because the conditions of Clause 4 were not complied with. He thought the provision inserted on the Motion of Lord Ashbourne was a very valuable one in this direction. These points admitted of great diversity of opinion, and there should be some means of redressing a mistake on the part of the local education authority. He hardly thought it was intended to leave this matter entirely in the discretion of the local education authority. The effect of the clause as it stood was th t the local authority had almost complete discretion to decide whether or not a school should be admitted to Clause 4 facilities at all. He held that any error or miscarriage of justice on their part ought to be capable of redress. It was not a matter for the Commission, but one for the Board of Education to settle. He hoped the noble Earl the Lord President would consent to repeal only sub-sections (3) and (4) of Clause 5 and allow sub-sections (1) and (2), which dealt fully with this question of appeal from the local education authority, to remain in the Bill.

LORD ASHBOURNE thought the course proposed by the Lord President, to omit Clause 5 and take the discussion on the Amendments to Clause 9, would be the most convenient. He trusted that the noble and learned Viscount who had just spoken would consent to that view. He thought his noble and learned friend had failed to notice an Amendment which had been inserted at the end of the first paragraph of the first sub-section to Clause 4, which enabled the Board of Education to decide any case in dispute. This would, he thought, cover the point.

THE EARL OF CREWE: The noble and learned Lord who has just sat down is quite right in thinking that the noble and learned Viscount's point is covered by the Amendment to Clause 4. In these circumstances I think it would be better to delete Clause 5, at any rate provisionally, and proceed. It will, of course, be open to the noble and learned Viscount to raise the point again if he thinks it is not covered by the words referred to.

On Question, Amendment agreed to.

LORD DAVEY moved to leave out Clause 6 (provision of new schools with facilities for special religious instruction). It was not, he said, his intention to trouble the House with any discussion of the abstract merits of the proposal contained in the clause. Their Lordships would remember that the clause was inserted towards the end of a sitting in Committee at the instance of the right rev. Prelate the Bishop of Oxford and after a long discussion on another clause, and that the particular terms of this clause and the mode in which the proposal contained in it was intended to be carried into effect did not receive much, or, he thought, any discussion from their Lordships. He ventured to submit that the terms of the clause as it stood, whatever might be the abstract merits of it, were such that it was not one which could find a place in this Bill, its provisions being contrary both to the letter and to the spirit of the Bill.

His first objection to the clause was that it substituted the Board of Education for the local education authority in the exercise of some of the most important functions of that authority The Board of Education was to determine whether a school was required, and if the Board of Education determined that the proposed school was required it was to direct the local education authority to take it over. That appeared to him to be putting aside altogether the local education authority, and substituting for it the Board of Education. It enabled the Board of Education to impose on the local education authority the charge and the maintenance of a school which the local education authority thought was unnecessary or did not furnish the best means of providing school accommodation.

Nothing had surprised him more in these debates that the distrust which some of their Lordships and some right rev. Prelates had shown of the local education authority established by the Act of 1902. In this case the local education authority was entirely set aside, and had to act under the direction of the Board of Education. He maintained that it was the right and duty of the local education authority under the Act of 1902 and previous Acts to say whether additional school accommodation was required, and, if so, how it should be provided, whether by enlarging existing schools or by building new schools, or, if new schools were required, on what sites they should be erected, and whether those schools should be large or small. On the other hand, it was the right and duty of the local authority to protect the public moneys under their charge and administration from any unnecessary burden.

He maintained that so long as the local authority exercised its judgment in good faith in matters within its jurisdiction, no interference ought to be permitted from an outside body. That was the principle which he had always understood had hitherto actuated Ministers for Education in dealing with these matters. This clause, however, enabled a Minister of the Crown to impose a new charge and the maintenance of a new school upon a local authority. That was a reversal of what had up to the present time been the policy of Parliament in respect to local authorities, and the policy which was intended to be carried out in this Bill. He ventured to submit that it was unfair to the Minister. He would not for one moment suggest that a Minister of the Crown would be actuated, in dealing with these matters, by any other than public motives, but their lordships must be well aware that the Minister would be open to unfounded attacks for favouring one class of opinion in a particular locality. He thought Ministers ought to be protected from any suspicion of partiality of that kind.

His next point was that the proposal was contrary to the letter and spirit of the Bill. The first clause of the Bill provided that a school should not be recognised as a public elementary school unless it was a school provided by the local education authority. How could anybody suggest, according to any fair use of language, that a school provided under the circumstances contained in Clause 6 would be a school provided by the local authority? He admitted that the Board of Education had to take into consideration a number of things, and he observed that Viscount St. Aldwyn proposed to include in the general terms of the clause certain matters in particular. He did not envy the task of the Minister for Education who had to find his way to a decision under this clause and to weigh the wishes of the parents, the necessity for a school, the economy of the rates, and the possible injury to secular education. He agreed that the duties thrown on the Board of Education by the Bill, as amended by their Lordships, were likely to drive the Minister at the head of that Department into a lunatic asylum.

The second and third important clauses of the Bill related only to existing schools. That was a matter of primary importance. They were in the nature of clauses of a temporary character, for the purpose of facilitating the transfer of voluntary schools to the local education authorities, and for the purpose of introducing and encouraging a new system which was intended to be carried out by this clause. There could be no doubt, he thought, that that was the meaning of those clauses, and the effect of Clause 6, if it remained in its present form, would be that what was intended as a temporary provision for the purpose of bridging over the transfer from one state of things to another would be converted into a permanent provision. To illustrate what he had said, he asked their Lordships to compare the present Clause 6, as inserted by their Lordships in Committee, with the Clause 6 for which it was substituted. That clause was of a totally different character. The old Clause 6 enabled the local education authority, where there was an elementary school, although not a public elementary school, already being carried on, if they thought fit, to negotiate, and, if they could acquire it on easier terms by doing so, to grant special facilities. It was entirely a question of negotiation and bargaining between the owners of the elementary schools to be taken over and the local authority, and the intervention of any third party was excluded by the terms of the clause, which carefully provided that there should be in that case no appeal to the Board of Education. That was a clause of a widely different character, and it was not open to the objections which he had ventured to lay before their Lordships He did not say that it would entirely meet his views, but it was a clause not open to those objections.

It had been said that this was an undenominational Bill. He assumed that that was so. Their Lordships had already read it a second time; and was it fair, right, or consonant with Parliamentary traditions that a Bill should be so altered as to make it a different Bill, based on a different principle, and containing provisions inconsistent with the spirit and letter of the Bill as introduced? It was said out of doors by distinguished persons that compromise was in the air. No one could wish more earnestly than he that that was so, but he regretted to say that he saw very little indication of it in their Lordships' House that evening. He ventured to ask, even to entreat, their Lordships to exhibit their willingness for conciliation and compromise by reconsidering their decision and omitting Clause 6, which he was quite sure would be a greater obstacle to anything like compromise or agreement than the right rev. Prelate who moved the clause probably imagined.

*THE LORD BISHOP OF OXFORD acknowledged the immense debt of gratitude which all owed to the public spirited work of the local education authorities, but pointed out that the question dealt with in this clause was of a particular nature, which might not have a dispassionate hearing from the local education authority. It was clearly desirable to have uniformity of practice and such independence as would be secured only by carrying the question before the Board of Education. The noble and learned Lord had spoken of the Board of Education as though it were likely to act in entire disregard of the wishes of the local education authority. Before deciding, the Board of Education would hear the views of all parties; and the provision in question gave the best security that the clause would be worked rightly and equitably. The noble and learned Lord had also said that because these schools would be proffered by those who desired Clause 4 facilities, therefore, they could not be said in any reasonable sense to be provided by the local education authority. Surely the noble and learned Lord was missing the meaning of the word "provided." When they spoke of a provided school they meant a school administered in certain ways and under certain conditions by the local education authority. If a school was taken over and administered by the local education authority, it became, in the sense of this Bill, a provided school. The third argument of the noble and learned Lord was addressed to this point, that in Clauses 2, 3 and 4 provisions were made for the transition from the present to a future stage, and that they were to regard those clauses as intended to meet a transient need and not to be of permanent operation. He recognised there the re-emergence of a point which, when it first came prominently into view, had a very great effect on their Lordships. He well remembered the feeling which was expressed when it came out clearly that at the end of five years extended-facilities schools were to be at the mercy of, it might be, hostile local education authorities. He thought their Lordships were for the most part greatly surprised to learn how much there was that was transitory in the provisions they had been studying. The argument of the noble and learned Lord was, he understood, that existing schools only should enjoy the privileges provided by Clauses 2, 3, and 4. It was a perfectly clear issue that was raised by this clause. Did they, or did they not, intend finally to put an end to the generosity which proffered the provision of new schools under the conditions of Clauses 3 and 4? If noble Lords did mean to say that henceforward no one should be allowed to provide new schools for the enjoyment of these privileges, then let that be clearly stated and let Clause 6 go. But he believed that, if they were to do that, they would put an end to one of the most helpful and valuable forms of generosity in the country; they would put an end to one of the best ways in which the general cause of education had been served; and they would alienate a volume of interest without which the work of education would go on greatly impoverished. The clause was in accordance with the general principles of the Bill, and to delete it would strike a very serious blow at influences which had done good work on behalf of elementary education.

THE EARL OF CREWE: I am anxious that the discussion on this particular point, which is rather, I think, of an academic nature as matters stand, should not be prolonged more than is possible. I am entirely in accord with my noble and learned friend behind me. I regard this clause as it stands as one of the very worst clauses in the Bill. At the same time I should not have consented to its abolition without some provision for inserting our Clause 6, because I considered that that clause did meet a deserving case. Where a school of a denominational character which had been started and was a going concern desired to be taken over, it seemed to us fair that it should be so taken over. If I do not attempt to develop the exceedingly clear and complete arguments of my noble and learned friend, it is not from any want of agreement with him; but I am not sure that there would be any great advantage in arguing this matter at length. My only object in rising, therefore, was to appeal to my noble and learned friend not to press his Amendment to a division. If time had served I should have been happy to vote with him; but, in the circumstances, I hope he will content himself with saying "Content" to the Amendment when it is put.

LORD DAVEY said he could not resist the appeal of his noble friend, and would, he admitted with some regret, withdraw his Amendment.

Amendment, by leave, withdrawn.

*VISCOUNT ST. ALDWYN moved Amendments to Clause 6 with the purpose of providing that the Board of Education in considering whether a new school was required should have specific regard not only "to the wishes of the parents as to the religious education of their children" but also to "the interest of secular instruction," and to "the economy of the rates." If the clause had simply said that they should have regard to all the circumstances of the case, he did not know that it would have been necessary to specify anything more. But certainly they ought to have regard to something else besides the wishes of the parents as to the religious education of the children. He therefore proposed to insert the words in this Amendment.

Amendment moved—

"In page 7, line 13, after the word 'including' to insert the words 'the interest of secular instruction'; and in line 14 after the word 'children' to insert the words 'and the economy of the rates"—(*Viscount St. Aldwyn.*)

THE EARL OF CREWE: It is quite clear that from our point of view the Amendment of the noble Viscount improves the clause as it stands, and I cannot help saying that the fact that those words were not originally inserted does show the kind of bias with which this clause was introduced. At the same time I am obliged to mention that the burden which is placed on the Board of Education in trying to decide between these incompatible things is an exceedingly difficult and almost impossible one for them to bear. Different boards of education will take different views as to the proper precedence of these particular interests, and that fact, I am afraid, makes the intended safeguard rather illusory. But the words are an improvement from our point of view, and therefore we agree to them.

THE MARQUESS OF LONDONDERRY pointed out that it had been the duty of the Board of Education ever since 1902 to decide whether a school should be taken over or a new school built, and he could not see why the present President of the Board of Education should not do the work which he found it possible to do under the Act of 1902. It was essential that there should be an appeal to the Board of Education from an antagonistic local education authority. In some parts of the country so strong was the bias that the ratepayers were not permitted to take advantage of the generosity and munificence alluded to by the Bishop of Oxford.

On Question, Amendment agreed to.

THE LORD BISHOP OF LONDON, on behalf of the Bishop of Winchester, moved to insert a new clause providing that the local education authority should, if required, give up at least one full school day annually for the purpose of the inspection of special religious instruction, but that the expenses of the inspection should not be paid by the local authority.

He was thankful to say that the Government had accepted the principle of this Amendment. He did not consider the facilities which had been granted to them really adequate and solid unless the instruction given was inspected. They also felt very strongly that the other instruction given in the school under the Cowper-Temple Clause should also be inspected, but it was not for them to lay down rules as to what the local education authorities should do. Therefore in his Amendment the local education authority "might" afford such opportunities for all religious instruction. He only inserted the word "shall" in connection with instruction given under the facilities to be afforded by the Bill. Their object was to make those facilities real.

Amendment moved—

"To insert the following new clause '(1) The local education authority may afford such opportunities as they think fit for the inspection of any religious instruction given in any public elementary school provided by them, by a person not being one of His Majesty's inspectors, and shall, if required by or on behalf of persons who are responsible for the provision of religious instruction of some special character in pursuance of any facilities afforded under this Act for the purpose (other than facilities afforded on account of there being only one public elementary school in a rural area), give up at least one full and unbroken school day annually for the purpose of the inspection of the special religious instruction, and allow the use of the schoolhouse for the purpose free of charge. (2) During the hours given up to any inspection for which an opportunity is afforded under this section, the school shall be closed for any purpose other than that of the inspection. (3) No part of the expenses of conducting any inspection of religious instruction of a special character for which an opportunity is afforded under this section shall be paid by the local education authority. (4) At least fourteen days before an inspection is held in pursuance of this section notice of the time set apart for the inspection shall be read out publicly in the school."—(*The Lord Bishop of London.*)

THE EARL OF CREWE: We have been in communication with the right rev. Prelate the Bishop of Winchester, and we are very glad to accept his Amendment in substance subject to one or two alterations. The first is in line 7, after the word "afforded," to leave out "under" and to insert "in accordance with Sections 3 and 4." That is really a drafting Amendment. The other Amendment we propose is one of more substance. It is—

"In line 8, after the word 'purpose,' to insert 'and if the authority are satisfied that there are at least thirty children ordinarily receiving that religious instruction.'"

I think it is pretty clear that if there were a very small number of children it would be quite possible for the inspection to take place during the ordinary religious hour, which could no doubt be done by arrangement. The other alteration we propose is in lines 8, 9, and 10 of the Amendment, and is to leave out the words "other than facilities afforded on account of there being only one public elementary school in a rural area." That is due to the fact that the Amendment of the right rev. Primate the Bishop of Hereford has gone out of the Bill. Those words are therefore not required. If the right rev. Prelate will accept those alterations we shall be very glad to agree to his Amendment.

THE LORD BISHOP OF LONDON: I gladly accept the alterations.

On Question, Amendment, as amended, agreed to.

*THE MARQUESS OF LANSDOWNE moved an Amendment to Clause 7 omitting the words "in the case of schools in which no facilities for religious instruction of a special character are afforded under this Act." The noble Marquess said: The object of the Amendment is this. Under this clause children are obliged to be present in the school during the time allotted for religious instruction, but it is also enacted that if the parent desires to withdraw his child from that religious instruction the child may receive secular instruction in lieu thereof during the allotted time. Then the clause goes on to say that a parent shall not be liable to any penalty for taking his child away from school during the allotted time—that is to say, either from the religious instruction or from the secular instruction given in lieu thereof—if the parent can show that the child is receiving some form of religious instruction elsewhere. In the clause as it now stands this exception is limited to Cowper-Temple schools. The words which I propose to leave out have that effect. I cannot see what reason there is for so restricting the exception. It seems to me to be equally desirable whether you are dealing with a parent who wishes to take his child away for this purpose from a Cowper-Temple school, or from a Clause 4 school, or from a Clause 3 school. It is quite clear that in a Clause 4 school you may have an undenominational minority, the members of which may wish that their children should receive religious instruction elsewhere; the same, I think, may be said of Clause 3 schools, and the argument in regard to those schools applies the more strongly because we have now decided that ordinary facilities are to be afforded only on two days a week instead of five. This exception in favour of Cowper-Temple schools ought not to be made, and I therefore beg to move the Amendment standing in my name.

Amendment moved—

"In page 7, line 33, to leave out from the word 'instruction' to the word 'a' in line 35.—(*The Marquess of Lansdowne.*)

THE EARL OF CREWE: I entirely agree to the noble Marquess's Amendment.

On Question, Amendment agreed to.

Consequential Amendment agreed to.

THE EARL OF CREWE moved an Amendment in the second sub-section of Clause 8 providing that a teacher "seeking employment or" employed in a public elementary school "otherwise than as a teacher of religious subjects only" should not be required as part of his duties to give any religious instruction. The noble Earl said: This Amendment is intended to cover what we have always stated to be our object, that a teacher should not have definite inquiries put to him as to his religious opinions when seeking employment. The insertion of the words "otherwise than as a teacher of religious subjects only" meets a point which was raised by the right rev. Prelate the Bishop of St. David's. The words are intended to cover the rare case, as we think, where all the teachers in a council school refuse to give the religious instruction and a person has to be called in from outside to give it. In that case there is no objection to any tests or to any inquiries being made as to his religious knowledge.

Amendment moved—

"In page 8, line 7, after the word 'teacher' to insert the words "seeking employment or,' and after the word 'school' to insert the words 'otherwise than as a teacher of religious subjects only:' ".—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CREWE moved to omit sub-sections (1) and (2) as embodied in the printed Clause 9, in order to substitute a new provision. The noble Earl said: This Amendment is simply a redrafting in a better form of the sub-sections as inserted in the Bill.

Amendment moved—

"In page 9, line 3, to leave out from the beginning of the clause to the word 'subject' in line 29, and insert: (1) Where the school-house of an existing voluntary school is hel under charitable trusts, and no arrangement has been made with respect to the school house by agreement under this Act, the local education authority may, at any time after the first day of May, nineteen hundred and seven, apply to the Commission appointed under this Act to determine with respect to the trusts of the school-house the question whether the use of the school-house for the purposes of a public elementary school by the local education authority in accordance with this Act is the best mode of giving effect to those trusts, and, if the Commission determine that question in the affirmative, the Commission may then make an order requiring the owners of the school house to give, and the local education authority to take, such use of the school-house as is required for the purpose of carrying on a public elementary school provided by the authority.' "—(*The Earl of Crewe.*)

THE MARQUESS OF SALISBURY: There is no substantial difference?

THE EARL OF CREWE: No.

THE LORD BISHOP OF SALISBURY: Why are the words "or the owners of the school house" omitted?

THE EARL OF CREWE: The right rev. Prelate asks me why we have left these words out. I think it is for me to ask why the right rev. Prelate and his friends put them in. They were not in the original Bill, and they open up the whole question of the bilateral case or the unilateral case. As I shall have to explain when we come to the Amendment of the noble Duke, we do not admit the principle, because we are unable to do so, of free access to the Commission by all schools held under charitable trusts.

THE MARQUESS OF SALISBURY held that the omission of the words in question made a very substantial difference; but he thought the point was covered by the noble Duke's Amendment to be moved subsequently, and in that case their Lordships need not deal with it now.

THE EARL OF CREWE: That is so.

On Question, Amendment agreed to.

*THE LORD BISHOP OF WAKEFIELD said that the next Amendment which stood in his name had been withdrawn at an earlier stage at the wish of the Lord President, who had undertaken to give it his consideration. The object of the Amendment was to secure the facilities offered to those who transferred voluntary schools under the Bill. When the Bill was first introduced there were two or three holes through which the facilities might slip away. All those holes had been stopped up except in the case of schools about to be transferred, in which case it was quite possible that the Commissioners might refuse facilities where they were asked by the owners of the schools. He based his request to the Government to accept this Amendment upon the pledge of His Majesty's Ministers themselves, who had given the country to understand that wherever any voluntary school was handed over and facilities were asked for they must be granted. Mr. Birrell made this statement on 9th April, and again on 10th May, in the House of Commons he said—

> "If the trustees of any school make this particular stipulation before transfer, that there should be these facilities given on two days in the week, the obligation to permit that teaching becomes statutory."

He therefore appealed to the noble Earl to put into the Bill the intention of His Majesty's Government.

The Earl of Crewe.

Amendment moved—

> "In page 9, line 41, after the word 'considered' to insert the words 'but such conditions shall include, if desired by the owners, a provision requiring the affording of facilities in accordance with this Act.'"—(*The Lord Bishop of Wakefield.*)

THE EARL OF CREWE: The Amendment of the right rev. Prelate is not quite so simple a matter as he seems to think. The words of my right hon. friend which he just quoted had reference, I take it, to the bargain which was to take place between the local authority and the trustees before the transfer. I cannot recall any occasion on which my right hon. friend said that it would be an absolute obligation on the Commission to afford these facilities. The Commission give the use of the school subject to such conditions, if any, as to payment or other matters, as the Commission think just, having regard to various stated matters, and also to such other circumstances as may, in their opinion, properly be considered, and it is very difficult to understand that it should ever happen that where there was a real case for facilities the Commission would not make them part of their scheme. But it is rather another matter to interfere with the discretion of the Commission when it comes to consider what the terms of a trust are. In a very great majority of cases the terms of the trust would no doubt be best carried out, in the opinion of the Commission, by the granting of these facilities, and that, I think, would not only apply to schools where the trusts stipulated that children should be brought up in the principles of the Church of England, but also to a certain number of schools where the trusts are not so explicit, but where, as a matter of fact, there has been a long user in the principles of the Church of England. Under these circumstances I think one must naturally conclude that the Commission would be practically certain to allow the facilities, but it surely would be rather a strong proposal to allow owners who might be strong Churchmen for the time being absolutely to break the trust. The trust might be of an explicitly undenominational character, and yet those who were acting as owners for this purpose might ask for facilities, and it does seem to me a strange and unusual power to give to the owners to enable them to force the Commissioners to give facilities even in cases where the trusts forbid that being done. I am afraid we cannot accept the Amendment.

THE MARQUESS OF SALISBURY said he was a little surprised to hear the decision of the noble Earl. He understood that the undertaking given in another place was quite explicit.

THE EARL OF CREWE dissented.

THE MARQUESS OF SALISBURY said he had understood that it was clearly stated in another place that, where the owners of a school under a trust made an arrangement, they might insist that facilities should be part of that arrangement, and similarly that if, upon a disagreement, the matter came before the Commission, at that stage they might again insist upon it. The words of the President of the Board of Education, which had been quoted by the right rev. Prelate, appeared to be quite complete. He did not suppose the right rev. Prelate would wish to press this Amendment on the Government if they preferred their own words. But he thought the noble Earl ought to promise to look into the matter in view of the engagement that was entered into in another place.

LORD DAVEY could not help thinking that the noble Marquess and the right rev. Prelate must have misunderstood what was said in the other House, because it was quite impossible that Mr. Birrell could have made the statement that in all cases of charitable trusts facilities for some special religious instruction should be given.

THE MARQUESS OF SALISBURY: Only when asked for by the owners.

LORD DAVEY said that in many cases charitable trusts were not confined to any particular religious instruction. The trust might be for education generally. He had in mind a school, of which he was at one time a trustee, where the trust stipulated that the school was to be carried on as an elementary school for the benefit of the parish. A trust of that character might come before the Commission to have determined whether using it as a public elementary school under this Act would be the best mode of carrying out that trust, and it would be manifestly unfair that in such a case sanction should be given for the education to be carried on according to the tenets of any particular religion.

LORD BARNARD, in the interest of strict adherence to charitable trusts, agreed with the Lord President of the Council and with the noble and learned Lord who had just sat down. He suggested to the right rev. Prelate that it would really not be consistent with the views which they had adopted to insist that the authorities should be bound to grant facilities for religious instruction solely at the request of the persons who happened for the time being to be in charge of the school.

THE LORD BISHOP OF WAKEFIELD said that in cases where there was a specific undenominational provision in the trust deed he would be the last person to wish that it should be violated. But if the noble Earl the Lord President would give the matter his consideration he would withdraw his Amendment. He thought it might be possible to insert such words as "where not inconsistent with the trust deed."

LORD DAVEY thought this was specially covered by the clause as it stood.

THE EARL OF CREWE: I will certainly consider the matter in view of what the right rev. Prelate says.

Amendment, by leave withdrawn.

THE EARL OF CREWE: I now beg to move to leave out sub-sections (3), (4) and (5) of Clause 9 and to substitute the new provision standing in my name.

Amendment moved—

"In page 10, line 1, to leave out sub-sections (3), (4), and (5), and to insert—'(2) In determining any such question or in making any such order the Commission shall act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court, but they shall not treat a proposal to carry on an elementary school as a proper mode of giving effect to the trusts of the schoolhouse unless sufficient guarantee is given for the effective continuance of the school for a period of at least five years.' "—(*The Earl of Crewe.*)

VISCOUNT LLANDAFF moved the omission of the words at the end of the sub-section requiring a sufficient guarantee for the effective continuance of the school for a period of at least five years. He held that if full effect were given to these words it would be impossible in any case to get a sufficient guarantee. The noble Earl had not given any reason why the House should reverse the decision at which it arrived in Committee, to which he hoped their Lordships would adhere. His noble friend Viscount St. Aldwyn had an Amendment on the Paper to omit from the proposed new sub-section (2) the words "for a period of at least five years." That Amendment, if agreed to, would leave the Commission free to require a sufficient guarantee for the effective continuance of the school for ten years or more. The truth was, this condition was almost impossible to fulfil, and it would be defeating the object of the clause itself if it were insisted upon.

Amendment moved to the proposed amendment—

"To delete from the proposed new sub-section (2) all words after 'inherent in that Court.' "—(*Viscount Llandaff.*)

THE EARL OF CAMPERDOWN thought it would be convenient if the noble Earl the Lord President, when moving an Amendment which contained a reversal of a decision arrived at in Committee, would point out to the House that this would be the effect of the Amendment.

THE EARL OF CREWE: I am afraid my extreme anxiety to save time has led me astray. I quite admit the noble Earl's point. I see that the noble Viscount on the Front Bench proposes to leave it essential that a guarantee of some kind should be offered, but he does not like the guarantee to last five years. The noble Viscount on the Cross Benches, however, desires to delete this part of the section altogether. As far as that Amendment is concerned, we think that it is not reasonable to leave the local education authority without some guidance as to what new schools they may have to build, and if a mere proposition to carry on a school is to be treated as a sufficient reason for allowing it to stand out of the Bill, local education authorities will be placed in a position of very considerable uncertainty and difficulty, in which it is not reasonable for this House to place them. As regards the Amendment of the noble Viscount opposite, if he would agree to accept a term of three years instead of five years, we should be prepared to meet him on that. I am afraid, however, we could not go further than that.

*VISCOUNT ST. ALDWYN said he had placed his Amendment on the Paper, to leave out the words "for a period of at least five years," because he noticed that the noble Earl the Lord President had proposed to restore the words which were deleted by their Lordships in Committee. He admitted that this difficulty might not be entirely met by merely striking out the words which he proposed to delete. He was afraid he could not say that a guarantee for three years would not be too long.

LORD BARNARD asked how the owners of the schoolhouse could be expected to give a guarantee for the effective continuance of the school. He thought the local education authority were to carry on the school.

THE EARL OF CREWE: The point is this. We think that a mere statement on the part of the trustees that they were prepared to carry on the school as a certified efficient school would not be sufficient, as it would place the local authority in a position of uncertainty as to whether they would not have ultimately to build a new school. There should be some substantial guarantee for the continuance of the school.

LORD ASHBOURNE did not think the noble Earl bore in mind the earlier part of the clause, under which the Commission were told that in determining any such question, and in making any such order, they should act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court. That was clear and sufficient. If the Commission were left free to act on their own trained discretion they would do so with wisdom. He saw no other course open to their Lordships than to delete the words requiring a sufficient guarantee.

*LORD STANLEY OF ALDERLEY suggested that the point would perhaps be met by omitting the words, at the end of the proposed new sub-section—

> "Unless sufficient guarantee is given for the effective continuance of the school for a period of at least five years,"

and substituting for them the words—

> "Unless they are satisfied that the school will be continued as a certified efficient school."

This would bring the matter under the consideration of the Commission. They did not want the education of a village to be precarious and possibly to break down in a few months. If they placed the responsibility on the Commission of being satisfied they would have substantial security.

*VISCOUNT ST. ALDWYN said he was quite willing to accept that suggestion.

THE EARL OF CREWE: I need not say I greatly prefer the words suggested by my noble friend Lord Stanley to the operation which is proposed to be performed by the noble Viscount on the cross benches (Lord Llandaff), and therefore I should make no objection to their insertion.

On Question, the Amendment to the proposed Amendment negatived.

On Question, Amendment, as amended by the words of Lord Stanley of Alderley, agreed to.

THE EARL OF CREWE: I now move the insertion of the new sub-section standing in my name. Its object is to meet the case of mixed trusts. The point is this, that where the trustees of a mixed trust desire to have a general scheme made covering the whole ground of their trust they may, by agreement, ask the Commission to undertake the second part of their trust as well as the educational part. We think that will be a convenience in certain cases.

Amendment moved—

> "To insert the following new sub-section, '(3) If the owners of a schoolhouse in respect of which an application is made by the local education authority under this section, desire that a scheme should be made by the Commission with reference to the mode in which effect is to be given to the trusts of the schoolhouse in the future, so far as effect is not given to those trusts by the order (if any) made by the Commission under this section, the Commission may make a scheme accordingly, and in making such a scheme shall act in accordance with the principles which they are required to follow in making an order under this section.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CAMPERDOWN pointed out that, now that sub-sections (3), (4), and (5) had been struck out, there was no provision in the Bill for renewing the schemes upon their expiry

THE EARL OF CREWE: If the noble Earl will look at page 8 of the Amendments he will see general provisions as to schemes and orders of the Commission. It is provided that a scheme made by the Commission may be altered by a scheme made by the Board of Education in the same manner, and so on.

THE EARL OF CAMPERDOWN: We shall come to that.

THE EARL OF CREWE: I now move the insertion of clauses relating to appeals to the Commission as respects extended facilities. I think it would be more convenient that I should postpone what I have to say until the noble Duke has moved the Amendment standing in his name on the Paper.

Amendment moved—

> "After Clause 2, to insert the following clauses, '(1) Where the local education authority fail to accept an arrangement offered to them by the owners of the schoolhouse of an existing voluntary school as regards the use of the schoolhouse, and the school is one in respect of which extended facilities are desired, the owners of the schoolhouse may appeal to the Commission appointed under this Act, and that Commission may, if they are satisfied that the conditions as

to the fulfilment of which a local education authority must be satisfied before they can grant extended facilities in a school under this Act are fulfilled in the case of the school, and that the schoolhouse is structurally suitable, and, if they otherwise think fit after considering the circumstances of the case, and the wishes of the parents of children attending the school, as to the continuance of the school with extended facilities, by order require the local education authority to continue the school as a public elementary school provided by them, on such terms and conditions as respects the use of the schoolhouse as may be provided by the order, and to afford the extended facilities desired, but if under any special circumstances of the case the Commission think it expedient, they may, after consulting the Board of Education, instead of making such an order, make an order allowing the school to continue as a State-aided school. (2) The certificate of the Board of Education as to the result of a ballot taken with respect to the wishes of parents, or as to whether a schoolhouse is structurally suitable or not, or whether any condition as to public school accommodation is satisfied, shall be treated as conclusive by the Commission.'"—(*The Earl of Crewe.*)

THE DUKE OF DEVONSHIRE, in moving the Amendment standing in his name to the proposed new clauses, said: My Lords, on examining further than I had been able to do last Thursday the new clauses of which notice had been given by the noble Earl the Lord President of the Council I came to the conclusion that it would be more convenient to put my proposed new sub-section to Clause 9 in the form of an Amendment to the new sections which the noble Earl has just moved. The noble Earl explained very clearly the other day that the essential difference between his proposal and mine was that my suggestion related to all schools, while his only applied to schools for which extended facilities were claimed. I have, therefore, to state very briefly why in my opinion this very considerable extension of his proposed clause is necessary.

The number of schools which will be affected by the Amendment of which I have given notice is probably the largest of any which will come to be transferred under the provisions of this Bill. They are the schools which are either privately owned or are in the hands of trustees as educational trusts. The Government desire that these schools should, whenever they are suitable and necessary, be transferred. I think in former discussions that has been admitted, but I will quote one passage from Mr. Birrell's observations in another place which puts the point very clearly. Mr. Birrell said that—

> "He could assure the Committee that the desire of the Government was, and always had been, that as many as possible of the properly-equipped voluntary schools of the country should be transferred to the local authorities, and it had never entered into their heads as part of their scheme that the local authorities should decline to take over such schools as were properly equipped and fitted to form part of the national system."

That sentence makes the desire of the Government perfectly clear. The reason for my Amendment is that they have not made any provision in the Bill whereby practical effect would be given to that desire on their part. We have no security whatever that these schools which they desire to form part of our educational system in future will be taken over by the authorities.

The noble Earl opposite, in the observations he made the other day, said he trusted that economical considerations would in the great majority of cases induce the authorities to take over these schools. He said they would prefer to hire efficient schools than be put to the expense of building new ones. No doubt that will be so in a large number of cases. But it will not be universally the case, and it is quite possible that economical considerations may not point in this direction. I have heard of a case in which it was suggested that it would be a more economical arrangement to build new schools than to take over a number of existing schools, which would require a considerably larger staff; and even if economical considerations pointed in one direction, there might be other considerations, possibly of an educational character, or partly of a purely sectarian character, which would induce a local authority to exercise its option in the direction of refusing to take over existing schools and filling their places with schools provided by themselves.

If the local authorities should decline in any case to take over these schools great injustice and hardship might be the consequence. The injustice would be of two kinds. Injustice may be inflicted upon the parents who have been accustomed to the use of these schools for the purpose of giving their children not only secular education education but the kind of religious instruction which they desire; and it will be no doubt a hardship to them that, without being consulted on the subject themselves, they should be deprived of the religious facilities which their children have hitherto enjoyed. Then there is the injustice which will be inflicted upon the owners or trustees of these schools. They have been invited and encouraged, at great cost to themselves, to build these schools for the purpose of providing the district in which they live with that kind of religious instruction which they believe should be provided for their neighbours and for the inhabitants of those districts.

This injustice, it seems to me, will amount to an actual breach of faith. No more definite pledge was ever given by Parliament than that given by the late Mr. Forster in his celebrated declaration that the Act of 1870 was intended not to supplant, but to supplement, the existing supply of voluntary schools. That pledge of Mr. Forster's was embodied, if not positively, at all events negatively, in the Act of 1870, and the policy thus laid down by Mr. Forster has been the universally accepted policy of the Education Department under every Government from 1870 to the present time. No school board, no local authority, has ever been permitted to build or supply a school for the purpose of supplanting an existing voluntary school, and, therefore, when private persons or the Churches have been permitted to build new schools it has been on the distinct understanding that the faith of Parliament was pledged that, so long as those schools continued efficient, they would not be interfered with by the board or council schools.

It is not only that private individuals and churches have been permitted to build these schools. Actual pressure has in some cases been applied to the building of such schools. It is easier to explain a point of this sort by instancing a concrete case. I am very well acquainted with the town of Eastbourne. Now, Eastbourne, has never had a School Board. It had never, up to a very short time since, had any but voluntary schools; some have lately been transferred, I believe, to the council. But a short time ago, in consequence of the growth of the town, increased accommodation was required for the education of the children, and a very strong request was addressed by the Board of Education to the trustees and owners of the voluntary schools stating that additional accommodation was required, and that, if that accommodation was not provided by them, it would be necessary for the Board to make an order for a School Board. The town did not want a School Board; a great effort was made, and the necessary schools were built and the required accommodation supplied. I ask your Lordships whether it would not be a case of intolerable injustice and hardship if, after pressure of that kind had been applied by the Education Department on certain classes in that town, they were to find now that the schools which they had exerted themselves to provide might be abandoned and so cease to exist.

The other day the noble Lord opposite, Lord Stanley of Alderley, said that it was not the business of the local education authorities to provide sectarian teaching at the expense of the rates. I submit that we are not concerned at present with what is the business of the local authority. We are concerned with the business of Parliament, and I say it is the business of Parliament to secure that injustice is not inflicted upon any class of the inhabitants of this country. It is the business of Parliament to see that the pledges which have been given by Parliament are observed, and that the faith of Parliament is not broken in its transactions with the people. I should like to appeal to the noble and learned Lord on the Woolsack. The noble and learned Lord and my noble friend Lord Halsbury are the greatest authorities in this House on questions of equity. I should like to ask them whether, in their opinion, it is consistent with the principles of equity that schools which have been built under such circumstances as I have described should at the will of the local authority, even if that will is exercised in the most complete good faith, be discontinued and hereafter cease to exist? If, as I hold, such a proceeding as this is contrary to every principle of equity, then I ask the Government what provision is there contained in this Bill to make such a failure of justice impossible or unlikely?

I have no desire to press to an extreme length the principle which I am endeavouring to advocate. I have no wish that unsuitable schools should be retained. I have no desire that within certain limits schools which are redundant should continue to exist. I agree with the noble Earl opposite in his proposal that the Board of Education is the proper authority to determine whether a school is structurally suitable or not. But the question of redundancy is not so simple as that. It is a question which it is not possible to decide off-hand by merely counting the number of children and the number of school places available in a district. It is a question which must be decided upon more general grounds. It cannot be decided only on grounds of economy or even of educational efficiency. The wishes of the parents in regard to the religious instruction of their children, the rights of owners, and the pledges which have been given by Parliament are elements in the consideration of this question which cannot be disregarded, and which cannot justly be left to the sole arbitrament of the local authority, however desirous that authority may be to do its duty.

Again, I ask your Lordships to consider the probable course of proceeding when this Bill becomes law. I am content to take the case cited by the noble Lord opposite the other day. He said he was aware of a town in which there was such an amount of surplus school accommodation that six schools might very properly and efficiently take the place of eleven existing schools. I think it is extremely likely that in such a case as that some of those schools may be redundant. I think it is quite possible that a reasonable local authority, dealing with reasonable owners and trustees of schools, may come to some arrangement by which a certain number of those schools would be dispensed with. It is quite probable that some of them may be redundant, not from the point of view only of educational efficiency, but also from the point of view of the desires of the parents as to the religious instruction of their children. But if they should fail, as it is possible they may fail, then I say the question which of these schools and how many of these schools can properly be refused by the local authority is a question which it is not fair or just to their owners to leave to the uncontrolled decision of the local authority of that town.

I do not believe that any very great difference exists between the Government and myself upon this point. I believe the Government are not indisposed to confer the power which I propose to confer upon the Commission—the power of deciding on all these points. I think, from the language used by the noble Earl the other day, that his objection to the proposal consists principally in the large extension which it will involve of their administrative functions, and the difficulty that may be experienced in persuading them to undertake them. But the noble Earl seems still to cling, for some reason which I cannot understand, to the principle of the bilateral arrangement, although he admits that one side of the bilateral arrangement is impossible. He admits that it would be too strong a measure to impose on every private owner of a school the surrender of the schoolhouse. He admits that it would be impossible to impose that obligation upon the trustees of schools held under open trusts. But, although he admits that impossibility, he still seems to have a hankering, which I cannot altogether understand, for something in the nature of a bilateral arrangement.

The bilateral arrangement which has been proposed seems to me to be recommended neither by justice nor by common sense. On what possible ground can it be contended that the owners of a voluntary school in a certain town or district should not be able to obtain justice from the Commission because the Commission is unable to give to a local authority in a different part of the county, perhaps at the other end of the county, the use of a school which the owner is unwilling to surrender, and which they desire to obtain the use of? On these grounds I trust that the Government will be prepared to give a favourable consideration to the extension which I propose in the clause, which, in my opinion, I must admit is a very great improvement upon that in the original Bill which it replaces.

Amendment moved—

"To amend the proposed new clause, as follows:—In line 4, to leave out the word 'extended'; in line 5, after the word 'facilities' to insert the words 'in accordance with Sections 3 or 4 of this Act'; in line 7, to leave out the word 'may' and to insert the word 'shall,' and to leave out the words 'if they are satisfied that the conditions as to the fulfilment of which a local education authority must be satisfied before they can grant extended facilities in a school under this Act are fulfilled in the case of the school, and that the schoolhouse is structurally suitable, and, if they otherwise think fit after considering the circumstances of the case, and the wishes of the parents of children attending the school, as to the continuance of the school with extended facilities' and to insert the words 'unless they are of opinion that the schoolhouse is not structurally suitable, or that the school is not required to meet the wishes of the parents as regards the religious instruction of their children, or that, after taking these matters into consideration, there are still sufficient grounds for refusal'; in line 18, to leave out the words 'extended,' and to leave out from the word 'desired to the end of sub-section (1) and to insert the words 'in accordance with this Act'; and in line 26, after the word 'condition' to insert the words 'prescribed in Section 4 of this Act.'"—(*The Duke of Devonshire.*)

THE EARL OF CREWE: I think perhaps it would be most convenient if before we adjourn for dinner, I say a few words on the noble Duke's Amendment. As the noble Duke has said, his Amendment extends to all schools; that is to say, the local education authority if the Commission think fit, may be compelled to take over any school whether in the hands of trustees or belonging to a private owner, but there are a very considerable number of schools which, however much they may desire to obtain them, it is impossible for them to acquire, Commission or no Commission. It probably would not be too much to say that out of the 14,000 voluntary schools, all of which could claim to be taken over, there are at least 5,000—I dare say considerably more—which, however much the authority might desire to acquire them, could snap their fingers at that authority and stand out. I confess that on the face of it that does not seem an entirely fair bargain between the local education authorities and the schools as a whole.

The noble Duke said it would be no consolation to a school which an authority refused to take over, or which did not want to be taken over and yet was taken over, to know that the other side of the bilateral compact was being played off in some other remote town. But the reverse case might happen in a single town. There might be a single town in which a particular authority wanted a given school and were by no means able to get it, and by no means wanted another one which they were obliged to take, and, so long as that is possible under the noble Duke's arrangement, it does not seem to me an entirely fair proposition as between the two parties.

The noble Duke alluded to our bilateral offer made in another place. The objections to that we always admitted were obvious. It demanded a very general consent owing, undoubtedly, to its novel character, both as regards private owners and as regards trusts, and if that consent was not forthcoming it was useless for us to press it or even to urge noble Lords to look at it again. But it is important to remember that during the whole time that offer was available it was never intended to apply to numerically redundant schools. We never made it a condition that every school, however redundant, should be able to force itself on the authority, so to speak, without mercy. The noble Duke offers to meet that point by saying that the Commission might regard numerical redundancy as one of the reasons for not taking over a school. But before I deal with that point I should like to say one word upon the general position in the light of the noble Duke's quotation from Mr. Forster that board schools were only intended to be supplementary to voluntary schools.

I think the answer to that is that Mr. Forster's pledge cannot be held to chain us for all eternity unless the conditions remain the same. I should not admit that a Parliamentary pledge of that kind under any circumstances could be regarded as absolutely eternal in operation, but no doubt if the conditions were the same it would be a strong measure to depart from; but our case for the whole transaction is that the conditions have so seriously altered, especially by the Act of 1902, that in our opinion Mr. Forster's pledge as a pledge no longer applies. We have no desire whatever to destroy voluntary schools, and we have tried to show it by the facilities which we have offered. But we cannot admit that any voluntary school as such has a claim against the local authority or against Parliament and the country to be carried on if on other grounds it is undesirable that it should be carried on.

THE DUKE OF DEVONSHIRE: I think I may be allowed to explain. I did not rely in the least on Mr. Forster's pledge. I spoke of the pledge which was given and which, in my opinion, was embodied in the Act of 1870 and in subsequent Acts, and of the universal practice of the Education Department since that date, which has given to private individuals and to churches a pledge as to the manner in which their schools would be treated if they were induced to build them.

THE EARL OF CREWE: Until the schools came on the rates. That pledge was observed up to 1902. The bargain was faithfully adhered to, but was swept away by the Act of 1902. The noble Duke obviously and clearly by his Amendment places a variety of important new duties on the Commission. They would have to decide whether or not the schoolhouse was structurally suitable, whether the school was required to meet the wishes of the parents as regards the religious instruction of their children, and, after taking these matters into consideration, whether there were still sufficient grounds of refusal. It is necessary for the House seriously to consider what the effect of the insertion of these words would be upon the work of the Commission. The Commission was appointed as a judicial body. It was appointed with reference to its known experience, skill, and fairness, sitting as a judicial body, but it was not appointed with any reference to its opinions on any of these subjects, and yet when you come to consider the necessary working of these words of the noble Duke's I think noble Lords must see that the opinions of the Commission will be, by common consent, one of the most important matters in considering how their duties are to be performed.

The matters at issue as to what weight ought to be given to the desire of the parents for religious instruction in a particular case, how far that consideration ought to override a question of economy and the interests of the ratepayers—all these matters are points which perfectly honourable and fair-minded people are bound to decide upon in an entirely different manner according to the view they hold of the relative importance of the different things. That is the point I have often attempted to make with regard to the question of discontinuing schools. If you had a President of the Board of Education who considered that the interests of elementary education were absolutely paramount he would override in ninety-nine cases out of 100 the interests of the ratepayers. If you had a President of the Board of Education who considered local economy the first interest and did not care very much whether any child was taught religion at all—he would be very different from the present one, I ought to add—he would discontinue a great number of schools which the other Minister would undoubtedly continue. You have to apply that consideration to these gentlemen, and unfortunately it does not appear to me to be a matter on which anybody can be impartial. Suppose it to be necessary under the noble Duke's arrangement to add additional members to the Commission, and that we were to ask my noble friend Lord Stanley of Alderley to sit as a member. Nobody, I am sure, would object. Everybody knows the knowledge and the fairness which the noble Lord would bring to bear. Suppose, on the other hand, Lord Hugh Cecil were placed on the Commission. Everybody knows equally that he would act with conspicuous ability and with equal fairness.

THE DUKE OF DEVONSHIRE: Suppose you find an impartial person.

THE EARL OF CREWE: I do not see how anybody can be impartial on this point. Surely these are not questions which it is possible to consider in a judicial spirit, and I cannot conceive the existence of people who would not take a somewhat strong view on one side or the other. Of course, I am not able to say what the attitude of the Commission may be if the Amendment of the noble Duke is carried, whether they will consider it possible to continue their labours, whether they will ask to be relieved, or whether they will ask to have their number added to, or what course they may desire to take. But I should be sorry for the House to arrive at a conclusion on this Amendment without very carefully weighing the considerations, and without noble Lords asking themselves whether these are matters on which it is possible for any people, however reasonably minded, to arrive at anything like a judicial decision.

*LORD STANLEY OF ALDERLEY said he would not go over the same ground as he had traversed the other day, but would deal with the special points raised in the noble Duke's speech. He had stated that this obligation to take over the voluntary schools which desired to be taken over whether the local education authority wished it or not was an obligation of honour, and that the Act of 1870 which embodied the principle that board schools were intended to supplement and not supplant voluntary schools was sufficient justification for every voluntary school being maintained by the local authority. The Lord President of the Council had already pointed out that first of all there could be no Parliamentary perpetuity of the conditions of State aid; and, secondly, that those conditions had been very materially altered by the Act of 1902. Therefore, to appeal to a policy earlier than that date was wholly irrelevant. Long before the Act of 1902 the settlement of 1870 was torn up by the friends of voluntary schools. The noble Duke himself appeared to be somewhat forgetful of the very strong line he took as early as the year 1876, when the first violation took place of the concordat by which Mr. Gladstone undertook to give increased grants to voluntary schools, on the express condition that the State should provide one half and the other half was to be provided by private effort. The first evasion of that principle took place in 1876 by what was known as the 17s. 6d. limit. Provision was then made that so long as the Parliamentary grant did not exceed 17s. 6d. a head of the scholars so long should voluntary schools be relieved of the obligation of providing half the cost. That so roused the resentment of the noble Duke, who was then Lord Hartington, that he actually moved the recommittal of the Bill, and in the debate which subsequently took place he acknowledged that the Act of 1870 was a compromise, and said he looked for the extension of the school board system, and the substitution of a public school board system for the voluntary system. He further stated in that memorable debate that those schools which now were maintained entirely out of public funds had forfeited the right to the title of voluntary schools, and henceforth should be known only as denominational schools. Those extracts were simply samples of the speech, and they showed that at that time there remained no obligation of honour upon Parliament to maintain a system which the beneficiaries had themselves torn up. The noble Duke perhaps might repudiate his past, and say as Mr. Gladstone did on the occasion of his Bill to disestablish the Welsh Church, that thirty years had elapsed since he took an opposite view, and that he had come of age in the interval, but, at any rate, he should not hold them to be guilty of bad faith. On the top of what happened in 1876 there had been the aid grant, exemption from rates, and the Act of 1902, and they were now told that they were honourably bound to admit those schools not only on the rates and taxes, but also to relieve them of the last obligation of maintenance and repair which was imposed upon them by the Act of 1902. And yet, when the conditions had been so changed they were told that it was an obligation of honour to give whatever concessions were demanded without imposing any of the old conditions. Since 1876 there had been other evasions of the Act of 1870, culminating in the Act of 1902. He would remind the noble Duke that the obligation he proposed to impose on the ratepayers of maintaining these schools was one which it was not competent for their Lordships to impose. With reference to the case of Eastbourne, that town had shown a certain indolent reluctance to bear burdens, which had been developed, perhaps, by the too kind and generous consideration shown by wealthy people, who took the burdens of their neighbours on themselves. He could not help thinking that the possession of such a benefactor as the noble Duke had a little undermined the self-respect and public spirit of Eastbourne. That town, anxious to escape the burden of a school board, made every effort it could to go on with inefficient and insufficient and high fee paying accommodation. At last the Board of Education came down upon them, and an officer who was sent down to Eastbourne on behalf of the Board found a large deficiency of from 1,500 to 1,800 places. The town proceeded to meet that deficiency not by putting their hands into their pockets, but by forming a limited liability company, which built the schools and let them to the managers at about 4 or 5 per cent. interest. Perhaps the noble Duke himself was a shareholder, and he might remember the exact amount of interest he was promised. That was not a public spirited way of meeting the demand for a school board. He thought the Board of Education under all Governments had shown themselves unduly tender in considering the claims of denominationalism as against the claims of public education. The noble Duke admitted that his proposal might and probably would put a heavy burden upon the rates. He admitted also that it might diminish educational efficiency, but he claimed that the friends of denominationalism had a right to all the advantages, whatever change in the law was made. The noble Duke had also spoken of the bilateral arrangement. Whether bilateral or unilateral, any obligation to take over schools which were not needed was a wrong done to the public and an injury to education. He was very thankful that the Conservative Party in the House of Commons did not jump at that proposal, which was not in the original Bill, but was offered as a compromise. He hoped that their Lordships would retain the right of the people to represent the people and pursue the policy which was most advantageous to education, efficiency, and economy.

Lord Stanley of Alderley.

*LORD ASHBOURNE said the noble Lord who had just sat down had shown great knowledge of history and the position of this question, and everyone had listened to him with attention and respect. Personally he admired very much the adroitness of his debating power, but he did not think the noble Lord had fully realised the main point on which the Duke of Devonshire made out his case in support of this Amendment. His references to the Act of 1870 were by way of illustration, and were, I think, intended only to illustrate the growth of the question. His references to what had been said in the House of Commons were naturally sought to bring into prominence what he considered was the real justice of the case. Surely the matter was one which might be looked at fairly without being unduly obscured by any suggestion of future dangers. The position now was that voluntary schools could be counted by thousands, and that they had done a vast deal for education in this country. The whole history of elementary education showed its great indebtedness to the voluntary schools which were being dealt with under this Bill. The Bill proposed practically to obliterate the voluntary schools or to put them under State control with certain qualifications. The substance of the position they were now placed in was that the Lord President of the Council had put on the Paper pages of Amendments which required careful consideration in order to know their exact bearing. Those Amendments had been closely and earnestly considered. The noble Duke had manifestly considered them with an anxious desire to appreciate their bearing and to meet them in as fair and moderate a way as he could. By his Amendment the noble Duke had obviouely endeavoured to engraft upon the Amendments of the Lord President of the Council what he thought was needed in order to obtain justice. One of the great objections to this Bill was that it tended to destroy or greatly imperil all voluntary schools. It was only reasonable to bear in mind that they were practically destroying those schools that were not taken over. Therefore it was a tremendous problem. If this was a Bill declaring that the State would at once take over all voluntary schools which had done so much in the past for the cause of education he could understand it, and that would obviate a great deal of argument. The Bill, however, stated that the local authority might, if they so desired, take over the voluntary schools, and there was to be no appeal from the action of the local education authority. The Amendment of the noble Duke said in reference to that matter, "This is not fair or reasonable. There are some local authorities with strong views and some with extreme views. We have to guard the whole position by giving an appeal." That appeal was given under the noble Duke's Amendment. Was it not reasonable that there should be an appeal against an erring local education authority? He made no charge against those authorities; in fact, he admitted that the great majority of them might be desirous of acting reasonably and justly, but there were some who might take views that any ordinary person would say were not reasonable or just. Some local authorities might have fads of their own and believe that the teaching of the board schools was the soundest and the best. Others might hold the opinion that centralisation and co-ordination would be better achieved by the abolition of the voluntary schools. Each board was entitled to have its own views, and all that the Amendment of the noble Duke laid down was that it was only reasonable and fair that there should be an appeal to some other independent body to consider what had been done by the local education authority, on the application of those who felt themselves aggrieved by their action. The noble Duke also dealt with Clauses 3 and 4, and gave an appeal in reference to them. It was all very well to talk of an offer made in the House of Commons, but that offer was open to the obvious criticisms which were made upon it. At the present moment there was no appeal from the arbitrary, harsh, and unjust action of the local education authorities in regard to any schools under Clause 3. He thought it was only reasonable that there should be such an appeal, and the noble Duke, dealing with the matter in a most reasonable temperate and conciliatory manner, had suggested that there should be such an appeal. Then there was the desire of the noble Duke to give an appeal to schools taken under Clause 4. Therefore this Amendment went on the same ground which was sought to be covered by the Amendment of the Lord President of the Council, but it went over that ground in a more complete, satisfactory, and just way. With every respect to the Lord President he contended that he had given no answer to the substance of the claim made by the noble Duke; nor had Lord Stanley, who always spoke on this subject with an embarrassing amount of information, indicated from the beginning to the end of his remarks anything to show that it was unreasonable that there should be an appeal of some kind against the refusals under Clause 3, nor had he dealt with the manner in which the noble Duke sought to give an appeal from the action of the local authorities under Clause 4. The Lord President had indicated that the conditions laid down by the noble Duke in his Amendment were such that it was not reasonable to cast upon the Commission, but surely the noble Earl for the moment had forgotten his own Amendment. There was not a single condition in the noble Duke's Amendment that did not appear in the Amendment of the noble Earl. If the Commission were expected to find out for themselves the topics indicated in the noble Earl's Amendment how did it become embarrassing and impossible when the very same conditions in slightly altered language were found in the Amendment of the noble Duke?

The Earl of CREWE: I would like to call the noble Lord's attention to sub-section (2) of my Amendment, because he will see there that all the points of an administrative nature are dealt with by allowing the certificate of the Board of Education to be taken by the Commissioners as conclusive upon that point without further examination.

LORD ASHBOURNE asked where the noble Duke questioned that certificate and did not adopt it.

THE EARL OF CREWE: He only adopts it for schools under Clause 4.

LORD ASHBOURNE said the noble Duke adopted the certificate under Clause 4 where of course it was germane. It would be unreasonable to apply a certificate that was to kill every element of discussion on the part of the appellate tribunal, but the noble Duke applied the certificate appeals under Clause 4. The noble Earl opposite seemed to think it was impossible to find any really impartial person to administer these matters. He had been going through the world for more years than the noble Earl, and he had met in every walk of life men whose impartiality and fairness he would willingly trust. The noble Earl mentioned Lord Stanley of Alderley. Having heard Lord Stanley in this House he desired to say that he would look upon the noble Lord as a man perfectly capable of bringing an impartial mind to bear upon any matters submitted to him for a judicial decision. His experience of life did not permit him to adopt so pessimistic a view of mankind. If they gave a man a duty and the responsibility of having to perform it there were few men who would not be able to rise to the dignity of the occasion. Those who had listened to the noble Duke's speech and had read the Amendment would agree that it was framed in the most moderate and conciliatory spirit. The question involved, while an important one, was readily understood, and he trusted their Lordships would find little difficulty in supporting the views expressed by the noble Duke.

LORD CLIFFORD OF CHUDLEIGH said the noble Earl had called attention to the second sub-section of his Amendment which appeared to him to introduce a difficulty which did not occur in a similar clause which previously existed in the Bill. The question of structural suitability came previously before the Commission, and the Commission when adjudicating as it were between the local authority and the owners or others interested in the school would have had before them, not only the certificate of the local education authority that the school was structurally unfit, but also the undertaking on the part of the owners to put the school at once in a state of structural suitability to the satisfaction of the Commissioners. As it stood now the matter of structural suitability would appear to have already been adjudicated upon by the Board of Education without any communication whatever with the owners, and without any opportunity being given to them to show their capability of putting the buildings into such a condition of structural suitability as was required bythe Board of Education. It seemed to him that a difficulty which did not arise as the Bill stood originally had now arisen, because the Board o Education might give a certificate on the existing state of the schools, and when that certificate came before the Commission it would be in their power to say that they were totally unable to take into consideration the willingness of the owners to put the buildings in a proper state of structural suitability, and they might refuse to consider the matter at all. It seemed to him that that would be creating a grave injustice which he could hardly imagine this sub-section intended to perpetrate, and he should like to be assured that such a failure of justice would not occur.

On Question, "That the word 'extended' stand part of the Amendment," their Lordships divided:—Contents, 34; Not-contents, 103.

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On Question, "That the words 'in accordance with section 3 or 4 of this Act' be inserted after the word 'facilities,'" resolved in the affirmative.

On Question, "That the word 'may' stand part of the Amendment," resolved in the negative.

On Question, "That the remainder of the Amendments to the Amendment be agreed to," resolved in the affirmative.

On Question, "That the new clause as amended stand part of the Bill," resolved in the affirmative.

THE EARL OF CREWE: I will next move the new clause providing general provisions as to schemes and the orders of the Commission. I will move first sub-section (a) which places the Board of Education in the same position they would be in whilst exercising their powers under the Charitable Trusts Acts 1853–1894. I beg to move.

Amendment moved—

"To insert as a new clause—'(1) A scheme or order made by the Commission shall have effect as if enacted by this Act, provided that—(*a*) a scheme made by the Commission may be altered by a scheme made by the Board of Education in the same manner and subject to the same provisions as a scheme made by the Board in pursuance of their powers under the Charitable Trusts Acts, 1853 to 1894; and."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CREWE: I will now move sub-section (b) which deals with the period of five years, a point which created a considerable stir when it first came to the notice of noble Lords opposite. I am bound to say that, on the merits I thought there was much to be said for the view that it was hardly reasonable to allow these schools without any appeal to be discontinued possibly at the end of five years. I do not think noble Lords opposite argued this point very closely at the time, because they were so much occupied in charging us with other things that they said less on the merits than might have been expected. I think I pointed out before that the arrangement to which we agreed as to the prior right of entry makes it exceedingly probable that there will be no difficulty in the vast majority of cases in continuing these schools. I beg to move sub-section (b).

Amendment moved—

"To insert after the words last added—'(*b*) An order made by the Commission may be varied or cancelled by agreement between the local education authority and the owners of the schoolhouse at any time, and by the Board of Education at any time after the expiration of five years from the date of the commencement of the original order, on any application made for the purpose by the authority or the owners, but no such application shall be entertained by the Board unless a period of at least one year has elapsed since the date of the decision of the Board on the last application under this provision. The Board of Education, in considering any application for the varying or cancelling of an order shall be subject to the same provisions as those to which the Commission are subject under this Act in making the original order. When an application for the varying or cancelling of an order is made by a local education authority, that authority shall, if required by the Board of Education for the purpose of their decision on the application, hold a ballot in accordance with this Act as to the wishes of the parents with respect to extended facilities.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

THE EARL OF CREWE: I will now move the second sub-section which has been inserted in response to demands by noble Lords opposite for an appeal to be given to the Commission under certain circumstances. There is a precedent for these words in more than one Act of Parliament, and he Commission, as I understand, are anxious that they should not be expected to give leave to appeal except on really substantial points of law. It is provided that the appeal should not go beyond the Court of Appeal, which of course is in the interests of saving time and expense.

Amendment moved—

"To insert after the word last added—'(2) The Commission may, if they think fit, in any case where their decision appears to them to involve a substantial question of law of general importance, give leave, on the application of the local education authority or the owners of the schoolhouse, to appeal from that decision in manner provided by Rules of Court to the Court of Appeal, whose decision shall be final, but, subject to this provision, no Court shall have power to review or interfere in any way with the schemes, orders, decisions, or other proceedings of the Commission, or of the Board of Education on the consideration of any application to vary or cancel an order made by the Commission, and the Commission shall, amongst other matters, have power, for the purpose of their powers and duties under this Act, to decide whether a schoolhouse or any interest therein is held under charitable trusts or not. (3) Where an order is made by the Commission with respect to the use of a schoolhouse by the local education authority, the conditions set out in paragraphs (*a*) and (*b*) of sub-section (1) and the provisions of sub-sections (2) and (3) of section two of this Act shall apply as they apply in the case of an arrangement made under that section.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendment moved—

"To insert as a new clause, 'the parents of at least twenty children attending a transferred voluntary school, or the parents' committee, if aggrieved by the mode in which extended facilities are afforded by a local education authority, may appeal to the Board of Education, and that Board, if satisfied, after considering the circumstances of the case, that there are reasonable grounds for the appeal, may make an order allowing the school to continue as a State-aided school and providing so far as necessary for the cancelling of any arrangement or order made with respect to the transfer or use of the schoolhouse, and for any other matter for which provision is required in connection with the order of the Board under this section."—(*The Earl of Crewe.*)

LORD ASHBOURNE moved an Amendment to the clause providing that the Board might make an order "prescribing the mode in which extended facilities shall be carried out." He said the Government clause which was now put in the amended form by the noble Earl gave power of appeal to the parents of the children against the way in which the facilities were carried out, and if the Board of Education were satisfied that the parents' objection was well grounded, the remedy was that the school should be translated into a State-aided school. His Amendment came in at this point, and, instead of allowing the Board to make an order for the school to continue as a State-aided school, it enacted that the Board should make an order prescribing the mode in which the extended facilities should be carried out. He had a subsequent Amendment which replaced the idea of the State-aided school, but in the present Amendment he only sought to give power to the appellate tribunal to say how the facilities should be carried out.

Amendment moved to the proposed clause—

"In line 7, leave out from 'order' to the end of the clause, and insert 'prescribing the mode in which extended facilities shall be carried out.'"—(*Lord Ashbourne.*)

THE EARL OF CREWE said the Government took objection to the proposal of the noble Lord. They adhered to the opinion that although a certain amount of trouble and difficulty might apparently be saved by making the mandamus not the result of an appeal from an individual, but of the order of the Board of Education, they came back to the difficulty that if these people did not do what was wanted of them and did not obey their orders there was no remedy whatever except to put them into gaol. Under the circumstances the Government considered it was an unsuitable and almost an unmeaning remedy, and therefore they could not accept the noble Lord's Amendment, though he would not put their Lordships to the trouble of going to a division.

THE MARQUESS OF SALISBURY said if the noble Earl were dissatisfied with the Amendment as a remedy it was for the Government to propose some other remedy. He quite agreed with him there was a certain awkwardness in the application of the Amendment, although some remedy was required. There was a remedy to which the Legislature was not a stranger and it was a very effective remedy. It was contained in the Default Act passed in the last Parliament. If the noble Earl desired them to strengthen this proposal they would be glad to put on the Paper an Amendment embodying the Default Act in this Bill.

On Question, "That those words be there inserted," resolved in the affirmative.

New Clause, as amended, agreed to.

Amendment moved—

"To insert as a new clause, 'Where an order is made under this section allowing a school to continue as a State-aided school, the Board of Education may, notwithstanding anything in this or any other Act, pay to that school the Parliamentary grants which would be payable in respect of the school or the scholars in the school if it was a public elementary school, so long as the Board are satisfied that the regulations contained in paragraphs one, two, and three of section seven of the Elementary Education Act, 1870 (a copy of which shall be conspicuously put up in the school), and such other conditions as they prescribe as conditions for the payment of the grant, are complied with in the case of the school. A State-aided school shall not be treated as a a public elementary school except for the purpose of the Elementary School Teachers (Superannuation) Act, 1898, and any other purpose which may be prescribed by the Board of Education.'"—(*The Earl of Crewe.*)

LORD ASHBOURNE proposed to amend the clause by inserting at the beginning that if the Commission thought fit after consulting the Board of Education, they might in the case of any existing or transferred voluntary school which fulfilled the conditions requisite before extended facilities could be granted under this Act make an order continuing such school as a State-aided school—

"(*a*) If the applicants for the facilities desire that instead of the facilities being granted such an order should be made; or (*b*) if the parents' committee complain of the mode in which extended facilities are afforded by the local education authority, and desire that, in lieu of any other remedy, such an order should be made, provided that in no case shall such an order be made unless the owners of the school-house consent, and the Commission are satisfied that the estimated income of the school from endowments, fees, and voluntary contributions will secure a standard of maintenance not inferior to that of the public elementary schools in the area."

He did not say he was strongly in favour of State-aided schools, but he recognised there might be occasions when it would be for the general convenience and advantage that there should be State-aided schools, and he proposed to provide for those occasions in what he ventured to think was a carefully balanced and considered Amendment. He had put in every safeguard he could think of, but if the noble Earl had further qualifications he would like to introduce at a subsequent stage of the Bill he would be glad to consider them. He thought the noble Earl would recognise that this Amendment was not framed in any controversial spirit.

Amendment to the new clause moved—

"To insert at the beginning the following words 'if the Commission think fit after consulting the Board of Education, they may, in the case of any existing or transferred voluntary school which fulfils the conditions requisite before extended facilities can be granted under this Act, make an order continuing such school as a State-aided school—(*a*) if the applicants for the facilities desire that instead of the facilities being granted such an order should be made; or (*b*) if the parents' committee complain of the mode in which extended facilities are afforded by the local education authority, and desire that, in lieu of any other remedy, such an order should be made; provided that in no case shall such an order be made unless the owners of the schoolhouse consent, and the Commission are satisfied that the estimated income of the school from endowments, fees, and voluntary contributions will secure a standard of maintenance not inferior to that of the other public elementary schools in the area. The order may provide so far as necessary for the cancelling of any arrangement or order made with respect to the transfer or use of the schoolhouse, and for any other matter for which provision is required in connection with the order of the Commission under this section."—(*Lord Ashbourne.*)

THE EARL OF CREWE said there was a certain difference between the Government proposal and that of the noble and learned Lord, because he apparently contemplated that the owners of the school should be able to go straight to the Commission and ask to be turned into a State-aided school without coming to any relations or attempting to agree with the authority. That did not seem to him to be reasonable or practicable, because he should think that the Commissioners would in every case refuse to turn the school into a State-aided school without knowing that some kind of communication had taken place between the authority and the owners of the school with a view to arriving at an agreement. That was an important difference, and it was certainly not one upon which the Government would be disposed to look kindly. Subsection (*b*) of the noble and learned Lord's Amendment seemed to contemplate that the Commission was going to be everlasting. The Commission would probably be dissolved long before the parents' committees in many cases had an opportunity of making their complaint. He hoped they would not have to make complaints at all, but if they did it would be some years after the Commission had done its labour; and therefore he did not understand how they proposed to make an appeal to them on the subject.

LORD ASHBOURNE said that matter could be met at a later stage.

*THE LORD BISHOP OF WAKEFIELD drew attention to the words "not inferior to that of the other elementary schools in the area" and suggested that the word "other" should be struck out.

LORD ASHBOURNE agreed to the correction.

On Question, Amendment as amended agreed to.

New clause, as amended, agreed to.

THE EARL OF CREWE moved an Amendment providing that the Commission might act by any two of their number, and notwithstanding any vacancy in their number. He said this was a small matter concerning the operations of the Commission, and he knew the Amendment met with their approval; indeed the Commission considered it almost necessary to the proper carrying out of their duties.

Amendment moved—

"In page 10, line 33, at the beginning of the line, insert 'The Commission may act by any two of their number and notwithstanding any vacancy in their number."—(*The Earl of Crewe.*)

On question, Amendment agreed to.

THE EARL OF CREWE moved a new sub-section to enable the Commission to appoint such officers as they thought necessary for the purpose of assisting in the execution of their duties under this Act. The Amendment, he explained, was also in order that the Commission might carry out their work in an efficient manner. The words had been carefully chosen in order to meet the point upon which a contention was made by the Marquess of Salisbury when the House was last discussing this matter, that he would view with suspicion any handing over of powers to a sub-commissioner. He thought the Amendment guarded against that, though he thought it was a great convenience to be able to depute someone to inquire on their behalf.

Amendment moved—

"In page 10, line 40, after the word 'law' to insert as a separate sub-section:—'(6) The Commission may appoint or employ such number of officers and persons as they think necessary for the purpose of assisting in the execution of their duties under this Act, and may remove any officer or person so appointed or employed, and, for the purpose of obtaining any information which the Commission may require, may direct any commissioner or any such officer or person to hold an inquiry. But nothing in this Act shall authorise the Commission to delegate the decision of any point which it is their duty to decide under this Act, or the making of a scheme or order under this Act.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Amendments moved—

"In page 11, lines 2 and 3, to leave out '31st day of December, 1908,' and insert 'the 1st of July, 1909.'"

"In page 11, line 12, to leave out 'January' and insert 'July.'"

"In page 11, line 13, after 'eight' to insert 'or from the appointed date, if the schoolhouse is in an area for which a later date is appointed for the operation of section one of this Act' and to leave out 'January' and insert 'July.'"—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

VISCOUNT LLANDAFF moved an Amendment to establish a parents' committee in the schools temporarily occupied under Clause 11 by the local education authority and in State-aided schools. Both classes of schools were to be purely denominational, and therefore seemed to be in the same category as Clause 4 schools, and he hoped the noble Earl would see no objection to the Amendment. Under the Bill as it stood, there would be no managers to these schools, and therefore it was important that there should be a parents' committee to be responsible for the religious instruction. The second paragraph of the Amendment simply referred questions between the local education authority and the parents' committee to the Board of Education.

Amendment moved—

"In page 11, line 34, after the word 'effect,' to insert the following new sub-sections:—'(4) In all schools used by the local education authority under this section, and in all State-aided schools, there shall be a parents' committee elected and nominated as provided in Section 4 of this Act, and all the provisions hereinbefore contained with reference to the parents' committee shall apply to the parents' committee in those schools. (5) If any question arises between the local education authority and the parents' committee of any school as to the proper and adequate fulfilment of their duties by the committee, such question shall be referred to the Board of Education, whose decision shall be final, and shall be complied with by the local education authority and the parents' committee. (6) The powers of managers under Section 76 of the Elementary Education Act, 1870, shall, after the passing of this Act, be exercised by the parents' committees appointed under this Act.'"—(*Viscount Llandaff.*)

THE EARL OF CREWE said as regarded Clause 11 schools the Government had no objection whatever to the appointment of a parents' committee to manage the religious education while the schools were in a state of suspense, but they did not wish to see parents' committees in State-aided schools, because, as he had pointed out before, the Code would contain special arrangements for the management of those schools which would obviously be of a denominational character, and it would therefore be a pity to appoint a parents' committee merely to deal with religious education in those schools, because, as a matter of fact, their general management would necessarily be of a more or less denominational kind. As regarded the second point, they were not at all willing for the Board of Education to undertake to settle disputes between the parents' committee and the local education authority. It would be throwing an entirely new burden upon the Board, and he was afraid it was one they were unable to accept. But so far as the third Amendment of the noble Viscount was concerned —that headed sub-section (6)—the Government would accept that if the noble Viscount would substitute the word "section" for "Act" at the end.

*VISCOUNT ST. ALDWYN hoped his noble friend would not press this Amendment, because Clause 11 referred to all existing voluntary schools, and, as Lord Salisbury showed the other night when a proposal was made to appoint a parents committee for schools coming under Clause 3, it would be perfectly possible that a majority of the parents might not belong to the denomination to which the schools hitherto belonged.

VISCOUNT LLANDAFF said he had not included Clause 3 schools, but had purposely omitted them.

*VISCOUNT ST. ALDWYN said, so far as he could understand it, the noble Viscount's Amendment included Clause 3 schools. At any rate, it included all schools that came under Clause 11, and they might be schools in which the majority of the parents did not belong to the denomination to which the school belonged under the trust deed, and they had no right to elect a parents' committee in order to manage religious education in such a school during the time it was temporarily used by the local education authority. Surely for that time they might trust the existing managers with the denominational education in the school. He hoped his noble friend would not press his Amendment.

LORD BELPER asked whether it would not be possible to continue the managers until it had been decided what class of schools these schools were to come under. It was clear that they would want somebody to carry out everything under the clause for two years.

THE EARL OF CREWE said that point had been considered before, and he had already stated that they were not prepared to retain the general management of the school under the foundation managers, but they were obliged to place it in the hands of the local authority.

VISCOUNT LLANDAFF said he understood his Amendment was accepted in part.

THE EARL OF CREWE said he had pointed out there were certain parts to which he had no objection, but he had no reason to believe that his acceptance entitled the noble Viscount to conclude that the House would accept it also.

On Question, Amendment negatived.

Amendments moved—

"In page 11, line 37, to leave out the word 'January' and insert the word 'July' and after the word 'eight' to insert the words 'or the appointed date, if the school is in an area for which a later date is appointed for the operation of Section 1 of this Act.'"

"In page 12, line 1, to leave out the word 'January' and insert the word 'July.'"

"In page 12, line 33, to leave out the word 'January' and insert the word 'July' and after the word 'eight' to insert the words 'or before the appointed date, if the schoolhouse is in an area for which a later date is appointed for the operation of Section 1 of this Act.'"

"In page 13, line 14, to leave out the word 'January' and insert the word 'July.'"

"In page 13, line 15, after the word 'eight' insert the words 'or the appointed date, if the schoolhouse is in an area for which a later date is appointed for the operation of Section 1 of this Act.'"—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

THE EARL OF CREWE moved a new sub section to provide that nothing in this Act should affect any power or authority of the Board of Education or Charity Commissioners or of any Court to make schemes or orders with reference to charitable trusts. Although in some cases the owners of the schoolhouse would under the Bill be enabled to ask the Commission to make schemes with respect to their trust, yet it was thought desirable to save the powers of the Board of Education and the Charity Commissioners.

Amendment moved—

"In page 12, line 34, after the word 'Education' to insert the following new sub-section: —'(3) Nothing in this Act shall affect any power or authority of the Board of Education or Charity Commissioners or of any Court to make schemes or orders with reference to charitable trusts.'"—(*The Earl of Crewe.*)

LORD BARNARD pointed out that the Board of Education might make an order, and the Commission under the Act might also make an order, and the two orders might be inconsistent.

THE MARQUESS OF SALISBURY said the noble Earl would surely not press this Amendment unless he had a conclusive answer to the noble Lord's contention. It seemed to stand to reason that there should not be two Commissions sitting upon one authority at the same time.

THE EARL OF CREWE said the fear was that the appointment of the Commission might be held to destroy the powers of the Charity Commissioners or the Board of Education in certain cases in which the Commission would not act; but it was not, he thought, a vital Amendment, and if noble Lords took a very strong objection to it he would withdraw it, at any rate at this stage.

Amendment, by leave, withdrawn.

THE EARL OF CREWE moved the addition of the following sub-section in Clause 14:—"(4) The power of the Commission to make an order or scheme with respect to a schoolhouse and the power of the local education authority to use a schoolhouse temporarily under this Act shall not, where that power arises under provisions of this Act which are confined in their application to schoolhouses held under charitable trusts, be exercised in such a manner as to bind or restrict any interest in the schoolhouse which is not subject to those trusts without the consent of the persons in whom that interest is vested." He said the point was raised during the course of the debates when they were discussing Clauses 9 and 11. It was feared that as the Commission under Clause 9 and the local authority under Clause 11 were given power to deal with charitable trusts, it must be made quite clear that the power only extended to those interests which were subject to trusts, and not to all the other interests of the schoolhouse.

Amendment moved—

"In page 12, line 34, to insert the following new sub-section — '(4) The power of the Commission to make an order or scheme with respect to a schoolhouse and the power of the local education authority to use a schoolhouse temporarily under this Act shall not, where that power arises under provisions of this Act which are confined in their application to schoolhouses held under charitable trusts, be exercised in such a manner as to bind or restrict any interest in the schoolhouse which is not subject to those trusts without the consent of the persons in whom that interest is vested."—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Drafting Amendment agreed to.

THE EARL OF CREWE moved to leave out the words "of voluntary schools," in lines 10 and 11 and insert 'for the purpose of a public elementary school." The Amendment was really one of a verbal kind. It had been suggested that if this Bill passed there would be no such thing as voluntary schools, and therefore the words "voluntary schools" would have no definite meaning, and that consequently some doubt might be raised as to whether it was not confined to existing voluntary schools.

LORD CLIFFORD OF CHUDLEIGH: Would not a "certified efficient school" be a voluntary school?

THE EARL OF CREWE: It might be, but I do not quite see the purpose of the noble Lord's Question.

Amendment moved—

"In page 14, lines 10 and 11, to leave out the words 'of voluntary schools' and to insert the words 'for the purpose of a public elementary school.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

LORD BELPER moved an Amendment providing that in any case where the powers and duties conferred on a local education committee entailed the expenditure of money, such committee should be so constituted as to ensure that not less than two-thirds of the whole body should be representative members, who might be either elected for the purpose by the local government or parochial electors of the delegation area, or members of the district or parish councils within the delegation area, or members of the county council representing any electoral division which lay wholly or partly within the delegation area. He said the Amendment was of some importance as dealing with the administrative part of the Bill, and perhaps he might be allowed to remind the House of the position in which the delegation clause stood when they were in Committee. There was considerable discussion on the bearing of the clause, and although some slight concession was made by the Government, he subsequently, though unable to accept that, offered to make it clear that in cases where the delegation authority had the power of spending money a majority of them should be directly representative of the ratepayers. After that there was a division taken, which, without stretching the point too far, showed, at all events, that the great majority of the House were of opinion that some further concession should be made to the views of the county council than had been made by the Government. Since the Committee stage he had had an opportunity of learning the views of a good many Members of the House who were interested in county council work, and in whose judgment he had great confidence. He had also had the opportunity of consulting his friends who represented the County Councils' Association, and who, equally with him, were responsible for the Amendment. He thought those who agreed with him felt that if the powers were going to be given to a local education committee of spending money, and, if necessary, spending more money that the sum spent for the same purpose by the county council, they could not contest the point that the ratepayers ought to be represented by a majority on that committee. In fact, so far as he could see, the only security against extravagance would be that the ratepayers should be able to call that committee to account, and the only excuse for spending a larger sum of money than had hitherto been spent for the same sort of purpose was that the district wished that amount to be spent, and that they would support the committee which represented them in the spending of that money. Under those circumstances they thought it desirable that he should put on the Paper an Amendment which would carry out their views, and he ventured to submit that this Amendment carried out in a full and fair manner the principle that where they gave powers to a local education committee to spend money the committee should, by way of security against extravagance, be representative of the ratepayers. In the Amendment he had adopted the principle that such committee should be so constituted as to ensure that no less than two-thirds of the whole body were representative members. He adopted two-thirds because obviously that was a considerable majority, and if he remembered rightly, the noble Lord the President of the Council himself suggested two-thirds instead of three-fourths as regarded this clause. The Amendment also adopted the representation very much in the words which were used in the former clause; that was to say, there might be a body elected for the purpose by the local government or parochial electors of the delegation area, or the representative body might consist of the district or parish councillors, and they had added to that that it might also consist of members of the county council representing any electoral division lying wholly or partly within the delegation area. A much larger interest with regard to local government was taken in the election of county councillors than in the case of parish councillors, and as the county council had had the responsibility of dealing with the education question it seemed rather invidious that they should be left out, and not called in this clause representative members. As the clause was drawn it gave considerably more latitude to the county council in drawing up their scheme, because as long as they secured the principle of the two-thirds representation they had the choice of the members being elected in whatever way they liked. He was fully aware that this was a concession, and he thought a real concession towards the view of the Government. He knew there were many Members of the House who took a very great interest in this question, and he was very anxious in view of the responsibility that rested upon him in being their spokesman in this matter that the subject should not leave the House without some expression of their views as to the limit to which they could give way with regard to the appointment of these committees. He knew there were some Members who would have preferred that the matter should be left entirely optional, and that no obligation should be put upon them, but, as that matter had been decided and this delegation scheme had been arranged for, he was only anxious to get as much latitude in the matter as was possible consistently with the principle which he thought they could not contest if it came back to this House, that where money was spent there must be some representation. He would point out one or two things. In the first place, if two-thirds were to be representative, it, at all events, would allow so far as the other third went the appointment of those conversant with education, managers of schools, ladies who took a great deal of interest in education, but who might not like to stand a contested election; and they might strengthen the committees where it was thought they did not contain many men who had large experience in education, by adding educationists, and those who had been conversant with the working of education in previous years. Although he did not say it would be necessary to put on one-third in all cases, it would, at all events, give a considerable latitude to the county council in drawing their scheme to be able to put on one-third to strengthen these committees from an educational point of view. Then he laid very great stress indeed on members of the county council being able to act on these committees when they were first started. There were many members of the county councils who had taken a most active interest in the work of education—that detailed work which would be practically delegated to these subordinate commitees and he thought it would add considerably to the smooth working of those committees if there was placed at their disposal the experience which the county councils had gained during the last four years by insuring that members of the county councils were placed on them. He had proposed the Amendment in a form which seemed to him the most desirable to enable members of the county council to be placed on these committees, but if in the course of discussion it was found that there was any better way of doing it he would not, certainly so far as he was concerned, let that stand in the way so long as they could ensure that members of the county council who resided in or were members for a particular district should be able to be appointed on the education committees. He would like to mention another point which was not contained in the words of his clause. When the discussion took place in Committee he mentioned that they laid very great stress indeed on the omission of sub-section (3.) If they could not get all the latitude they asked for originally in the clause he looked upon that as the greatest possible safeguard to the county councils in appointing their education committees, and in settling what the duties of those education committees should be, because, as he had pointed out, if their powers and duties must be uniform, either delegation work must progress extremely slowly, or they would have to give the most incompetent committees the same powers that they gave to those whose experience was thoroughly to be trusted. Therefore, if his Amendment led to any compromise, or was accepted by the Government, he hoped the Government would understand that he looked upon the continued omission of sub-section (3) as essential to the scheme, and he had rather hoped from the fact that they did not divide against the Amendment that they would recognise that it was a great safeguard to the county council. He had satisfied himself that the clerks of the councils and the county accountants could very easily work out a system of accounts which would not cause very much more trouble or expense, and he was sure that the Local Government auditors, when they were satisfied that they would have to change their form of accounts in some way, would do everything they could to facilitate the proper form of accounts being kept. He was quite aware that there would be a considerable number of committees which would be entrusted with adequate powers, entrusted with the spending of money, but at the same time be believed there would be small committees which at first nobody would like to trust with such powers. Therefore if they desired to entrust these powers to these small committees some such Amendment as this was necessary. He noticed that one or two of his noble friends on this side of the House stated in Committee that the Committee was so near agreement that it might be hoped that they would come to some agreement at this stage. This House contained a much larger number of representatives of county councils and county council associations at the present time than did the other House, and therefore he would have been sorry if this clause had left the House without his having made some offer that might lead to a solution of this rather difficult question. He hoped the words he had placed upon the Paper and the few remarks he had made would be a step in that direction. He might say he had no special affection for the actual wording of his clause as it stood so long as the substance was adhered to, and therefore he hoped what he had said would meet with some response from the Government which might lead to a settlement of the question. If that settlement could be arrived at before the Bill left this House it would be so much the better; but his clause would, at all events, show their *bona fides* in the matter and that they were willing to recognise this principle, which was a recognised principle in local government, and were anxious to meet as far as they could the objections to his Amendment as it stood.

Amendment moved—

> "In page 14, line, 34, after the word 'them,' to insert the words, 'Provided that in any case where the powers and duties conferred on a local education committee entail the expenditure of money, such committee shall be so constituted as to ensure that not less than two-thirds of the whole body shall be representative members, who may be either elected for the purpose by the Local Government or parochial electors of the delegation area, or members of the district or parish councils within the delegation area, or members of the county council representing any electoral division which lies wholly or partly within the delegation area.'"—(*Lord Belper.*)

THE EARL OF CREWE: My Lords, we cordially recognise the very conciliatory and moderate spirit in which the noble Lord has proposed this important clause. And I hope he is right in believing that we are so near to an agreement that before the Bill leaves this House we shall have arrived at a solution generally acceptable to all. I quite agree that considering the great number of noble Lords in this House well acquainted with the principles of county council government it would be something of a shame to us if we allowed the Bill to leave this House without having arrived at some agreement on this question of delegation. Speaking generally, we are prepared to accept at any rate the principle of my noble friend's clause. I am not sure, however, how his original provisions will work in view of sub-section (2) of the Act, which compels all these bodies to have a certain amount of money entrusted to them. As a matter of fact we are somewhat wedded to the form of our original description of representative bodies under their different heads, and we should prefer some re-construction of the original sub-section (4) to the words used by the noble Lord. What I propose to do is to bring up an Amendment at the next stage to re-insert our own sub-section (4) in a considerably altered form. I propose to say that any local Committee under this clause shall be either—

> "(*a*) a body elected for the purpose in manner provided in the scheme by the local government or parochial electors for the delegation area, women being capable of being elected; or (*b*) a body consisting of the council of a local government area where that is possible owing to the delegation area being a single local government area, together with additional members if so provided by the scheme, not being more in number than one-third of the whole body and being either common or county councillors nominated by the county council."

That will enable women, until the time comes when they can be elected on these bodies, to be added as nominated members of the councils. Then the third alternative is this—

> "A body, the ordinary members of which consist wholly of members of the councils of such local government areas wholly or partly situated in the delegation area as the scheme directs, or partly of such members and partly of members nominated in manner directed by the scheme."

That was the third; but there is this important provision which meets the wishes of the noble Lord to a large extent—

> "together with additional members if so provided by the scheme being all or any of the members of the county council representing any electoral division wholly or partly situated within the delegation area or residing in the area; where a local education committee contains nominated members, the scheme shall provide that a certain number of members must be women."

All I have to say further is that we quite agree to the permanent elimination of the old sub-section (3). The provisions of this scheme as to the power of deciding shall be uniform as regards all the others. We thought, and still think that some difficulty might be caused by striking out that provision, but the noble Lord makes it a great point that we should agree to leave that out of the

Bill. In other respects I hope we are as near to an agreement as the noble Lord believes. If he will move his Amendment now I will accept it on those conditions.

*VISCOUNT ST. ALDWYN said he hoped that the noble Earl in considering this matter would remember that the members of county councils were very hard worked persons already. As the noble Lord had said, their experience in educational matters was very valuable, but it would be quite impossible for them in many instances to devote much time to these small school areas. Parish councillors or even district councillors might be able to do so, but he did not believe that county councillors could find time in addition to their other duties to do much in these small areas over which these local committees would preside. There was one point in respect to which he would like to ask a question of the noble Earl. There was one matter which admittedly did not come within the province of these local committees which he would like the noble Earl to deal with. Later on in the clause the noble Earl proposed to move an Amendment which would abolish the existing managers to a large extent. Hitherto the managers had had the management and control of these schools, and the question he desired to ask was, who in the future was to control denominational education in the Clause 3 schools? As the Bill now stood it would seem that the owners of the school house would have to settle with the local authority as to the facilities that should be given for denominational education. But who was to control the giving of the denominational education in the Clause 3 schools? Very often the trustees of the school were non-residents, and they would not be able to attend to it. Who would? Would it not be possible at a later stage of this Bill to insert some provision that the owners of the school house might delegate their power in this matter to some other person, who might be one of the local education committee, who would be able to attend to this matter?

LORD CLIFFORD OF CHUDLEIGH said he was sorry to hear from the noble Earl that he was unable to meet the views of the noble Lord more than he had done. The composition of these committees was a question in which the county councils were much interested and upon which they felt very strongly. Upon one particular point he extremely regretted that the noble Earl had not been able to meet them. The county council of the district should, he thought, stand on the same footing as representatives of the electorate of the areas as did all other locally elected bodies. They were elected by the same electorate and under the same circumstances as other representative bodies, and therefore it seemed hardly fitting that they should be put on these committees in, so to speak, a subservient position and with something of a less representative character than the district or parish council in the matter. He hoped the House would accept the Amendment of the noble Lord as it was, and that the Government on further consideration would see their way to come a little closer to the Amendment than he gathered from the noble Earl they at present did.

*LORD FITZMAURICE said in reference to what had fallen from the noble Lord opposite he desired to make quite clear what the position of the county councillors on these committees would be It was proposed that the county councillors should be given full opportunities of serving on these committees, because in the first place they probably might in many cases desire to do so, and, in the second place, their experience would be extremely useful. At the same time the Government was quite conscious that what had fallen from the noble Viscount opposite was perfectly true; that the work of the county councillors had now become so large and absorbing that it was quite impossible to imagine that they would be able to spare any large amount of time upon these committees for detail work. Nevertheless, the Government agreed with the noble Lord who moved this Motion that it would be desirable to give the county councillors an opportunity. With regard to the other point just raised by the noble Lord, he reminded the House that at an earlier stage his noble friend the Lord President expressed a general readiness to consider the possibility of doing something in the direction of meeting the views of noble

Lords opposite in regard to the nomination of a parents' committee with reference to Clause 3 schools. He was perfectly open to consider that matter on the last stage of the Bill. It might be possible, for example, to do something in the direction of forming a parents' committee from the body of the parents of the children who from time to time were making use of the facilities in the particular schools referred to. Beyond that he did not think he could now go, but the question should receive further attention.

LORD BELPER said he had no right to reply, but he only desired to say that he would like his Amendment to be put now, and that he would consider the words of the Amendment of the noble Earl when they appeared on the Paper.

On Question, "That those words be there inserted," resolved in the affirmative.

Amendments moved—

"In page 14, lines 35 and 36, to leave out the words 'nominated as such additional members' and to insert the words 'members of local education committees'; in line 37, to leave out the words 'so nominated' and to insert the words 'of those committees.'"

"In page 15, line 25, after the word 'committee' to insert the words 'and in that case no managers shall be appointed under that section.'"—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

THE EARL OF LYTTON said the three Amendments of which he had given notice all hung together, and their object was to amend the machinery by which the accounts of the delegated bodies were to be kept. By subsection (1) of Clause 15 delegated bodies were set up, and by sub-section (2) they were given spending powers independently of the local authority. It was quite clear by sub-section (9) as it stood that these delegated bodies would be enabled to keep their accounts perfectly independently of the local authorities, and to furnish only such information as would enable the county council to supply the amount required by them. The result of the clause as it stood was that there would be twenty or thirty accounts kept in connection with the schools of the county, and it would be impossible for the local authority to have knowledge of the money spent in the schools of the area. The object of the words he had placed on the Paper was to enable the county councils to keep one account in respect of all the schools within their area. These words reserved to the delegated bodies all the powers given under the Bill, left them perfectly free to carry out their policy, and merely required that when they had determined what money they should spend they should send on their bills to the county council, who would keep an account and have a record by which they would be able to have control over the money spent in the schools. He hoped the Amendment would prove convenient to the Government and that they would accept it.

Amendment moved—

"In page 15, line 26, to leave out the words from the beginning of sub-section (9) to the word 'shall' in line 3, and insert the words 'a scheme under this section shall provide for the rendering by each local education committee to the county council of accounts of the expenditure incurred by that body, and all expenditure properly incurred by that body shall be defrayed by the county council and the accounts of that body.'"

"In page 15, line 31, to leave out the words 'audited as.'"

"In line 32, to leave out the words 'and in that case' and insert the words 'provided that.'"—(*The Earl of Lytton.*)

THE EARL OF CREWE: So far as regards the words of the noble Earl I may say it would be open to every county council, and I imagine it is the course they would take, to provide for such a rendering by any of their schools. But when the noble Lord goes further and says that all the expenditure should be defrayed by the county council, it appears to me he is undoing a considerable part of what we propose to do by sub-section (2). If he wishes to say that it shall be impossible for these delegated bodies to do anything, even to draw a cheque, and that they shall have to send on their bills to the county councils to be paid by them, it seems to me he is taking away a great part of the delegated powers. He goes far beyond what he states is the purport of his Amendment, namely, the matter of account keeping. It is perfectly proper and reasonable that the county council should be able to keep a general view over all the expenditure of the delegated bodies, but we are not prepared to hand over this power to them.

THE MARQUESS OF SALISBURY asked whether the noble Earl realised the very complicated system of auditing which he was establishing under this clause unless some such Amendments as these were accepted. As he understood, the Local Government Board auditor would have to attend each of these schools all through the country.

THE EARL OF CREWE: No, he may if he thinks it convenient, but he can, if he chooses, have them audited as county council accounts.

THE MARQUESS OF SALISBURY said it lay with the Local Government auditor to decide. The only other point to which he wished to draw attention was the great advantage there was in enabling the ratepayers and others to see at once what a particular school in the district cost. If the thing was split up there would be no control or knowledge of what money was spent. The object of his noble friend to concentrate the accounts appeared to him to be of value, and he therefore hoped the noble Earl would reconsider the Question.

LORD BELPER said he had looked into this matter a little, and it appeared to him that it would be covered by the ordinary procedure of county council government. The county councils would have to keep an account in the future much in the same way as they did now, except that when they delegated certain powers for the purpose of allowing a certain sum to be spent by a district, that disstrict would have to send in an estimate of what they had to spend, and the account would have to be kept by the district. He did not think they ought to legislate in the direction of saying how these accounts should be kept. So far as the county council with which he was connected was concerned they would do it without any direction from Parliament.

LORD FITZMAURICE said the Amendment seemed to go beyond what the noble Lord who had just spoken would favour. He knew how dangerous it was to plunge into this question of audit of accounts, because, as those who had to deal with the whole inception of county council accounts would remember, an endless controversy arose with regard to the proper method of keeping accounts between the standing grand committee and the county councils. He took it that under the words as they now stood what his noble friend said just now would really be the case, and that the objection urged by the noble Marquess opposite would be met, because under the words of the Bill these accounts would be brought back into the county accounts, and everything would lead the county council to do exactly what it did at the present time with a great many accounts of county council schools, isolation hospitals, and matters of that kind which were dependent partly on local and partly on county expenditure. He could only speak with knowledge of his own county, where the accounts of the county council were drawn up on the model settled by the Local Government auditors as applying to the accounts of county councils in general, and in those accounts any school, however small or however large, had a place to itself. After an interval of not more than a year every ratepayer who wanted to see what was the expenditure of a particular school could do so by turning up the page in the county council accounts. He could not see anything in the Bill that would prevent that being done, whereas, on the other hand, if the words o the noble Lord were adopted they would very likely neutralise what the House in general wished, namely, that there should be a saving of time in dealing with the details at the central county council office. Besides that, they would prevent the delegated committee having a spending account, every payment would have to be made from the county office, and they would get once more what they desired to avoid, namely, the block of county business caused by the accumulation of a large mass of small payments which it was desired should be dealt with locally.

THE EARL OF LYTTON said he had no intention that the Amendment should go in any way beyond the object he had described in his speech. The only object of the Amendment was that the county council should have some knowledge of the details of the expenditure and the general policy of the school. Of course if it was not thought necessary he would not press it.

Amendment, by leave, withdrawn.

THE EARL OF CREWE: The next Amendment deals with quite a small point. Under the Act of 1876 the prosecutions for non-attendance at the schools had to be taken by direction of two members of the school board. When the Act of 1902 was passed the members of the education committee or some committee appointed by them were substituted for the members of the school board, and under this clause, as the powers of the education committees are to be delegated, it is necessary to make the substitution of two members to undertake this duty.

Amendment proposed—

"In page 16, line 3, after the word 'area' to insert as a new sub-section:—'In any case where the powers of the local education authority with respect to enforcing school attendance are delegated to a local education committee under this section, paragraph (3) of the Third Schedule to the Education Act, 1902, shall have effect as if members of that committee were substituted for members of the education committee.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

VISCOUNT CROSS said that on a former stage of this Bill he pressed the House to consider the case of those county councils where they had already made arrangements, and in the case of many county councils arrangements had been made which had been working for the last two years apparently to the satisfaction of everybody. That was the case in Lancashire. The clause which he moved referred to the county, and its object was this: They do not want the county council to contract out of the Bill, and all he would suggest was that if the Board of Education were satisfied that the plans made by the county councils, and which had worked so well for two years, were satisfactory, then the county councils need not make a scheme under the Act. If the Board of Education wished that they should make a scheme they would make one, but it would cause a great deal of expense, and all the trouble they had taken in the last two years would be thrown away. If the schemes that these county councils worked under now were satisfactory he could not see why they should be put to the trouble of making others.

Amendment moved.

THE EARL OF CREWE: I do not think in this case I can accept the scheme of the noble Viscount. He has fought a valiant battle for Lancashire, but even Lancashire is not unanimous, because on a former occasion my noble friend Lord Shuttleworth got up behind me and rather supported our contention as against that of the noble Viscount. We have gone as far as we can in trying to meet Lord Belper and some noble friends of his in the constitution of these schemes, and I hope when the time comes Lancashire will find the matter is not so difficult and that it will not create so much disturbance as my noble friend now fears.

Amendment, by leave, withdrawn,

THE EARL OF CREWE: The next Amendment is a verbal one. In some cases "Board" is the Local Government Board and in others it is the Board of Education, and it is necessary to make the matter clear.

Amendment moved—

"In page 17, line 7, after the word 'Board' to insert the words 'of Education or the Local Government Board as the case requires.'")—(*The Earl of Crewe*).

On Question, Amendment agreed to.

THE EARL OF CREWE: The next is an important sub-section, giving powers to the county councils which are very largely demanded by them, to enable them to get rid of land and buildings used for the purpose of secondary schools when they are no longer required for that purpose. It is a power which does not exist at present and many county councils would be glad to have it.

Amedment moved—

"In page 17, line 10, after the word 'made' to insert as a new sub-section: '(4) A council shall have power, with the consent of the Board of Education, to alienate any land or buildings acquired or held by them for the purposes of education other than elementary under Part II. of the Education Act, 1902, and in the case of the sale of any such land or buildings, the proceeds of sale shall be applied in such manner as the Board of Education sanction towards the discharge of any loan of the council under the Education Acts, or otherwise for any purpose for which capital may be applied by the council under those Acts.' "—(*The Earl of Crewe*).

On Question, Amendment agreed to.

THE EARL OF CREWE: Under the School Sites Act, 1841, the consent of the Home Department was required in various matters. At the time the Act was passed there was no Education Department at all, and therefore the consent of the Secretary of State was required in every matter. The Secretary of State now invariably sends the matter over to the Board of Education, asks their opinion and acts upon it. It is therefore more convenient that the Board of Education should have the nominal as well as the real power.

Amendment moved—

"To insert as a new clause: the consent of the Board of Education shall be substituted for the consent of the Secretary of State for the Home Department in cases where the consent of the said Secretary of State is, at the time of the passing of this Act, required under Section 14 of the School Sites Act, 1841, and Section 1 of the School Grants Act, 1855, which relate to sales, exchange, or mortgages of school premises.' "—(*The Earl of Crewe*).

On Question, Amendment agreed to.

Drafting Amendment agreed to.

*THE EARL OF STAMFORD moved a new clause for the purpose of meeting a slight difficulty which had arisen under the Act of 1902. As the law was now held to stand a scholarship could be held only by a resident within the area of the local education authority. When it happened that the parents of the child moved out of the area it had been held that the scholarship must be discontinued. It was to remove that hardship that he now moved this new clause.

Amendment moved—

"To insert as a new clause: 'The power of a council to provide scholarships for or pay the fees of students under subsection (2) of Section 23 of the Education Act, 1902, shall include a power, subject to such condition (if any) as may be made by the council, to provide or assist in providing scholarships for, or to pay or assist in paying the fees of, students, if at the time the scholarship is awarded or the payment of the fees is determined upon, the scholar is ordinarily resident in the area of the council, although the student subsequently ceases to be so resident.' "—(*The Earl of Stamford.*)

THE EARL OF CREWE: I am prepared to accept the clause. It is no doubt clear that a hardship does arise out of the law as it now stands. I think the word "scholar" in the last line but one of the clause ought to be "student." With that Amendment I accept it.

On Question, Amendment, as amended, agreed to.

Drafting Amendment agreed to.

LORD BELPER said he desired to ask one question on Clause 25. That clause was inserted in substitution of one he moved, and once it had been inserted the question had arisen as to the cost of conveying children to school. In some cases the conveyance of children a certain distance obviated the necessity of building a new school. If they were not conveyed to another school a new school would have to be built in the particular parish, and a certain proportion of the cost of such new school would be put upon the locality. He wished to ask the Lord President whether he would consider in a case of that sort, where the cost of a new school had been avoided and considerable capital saved, that the conveying of the children should be put upon the parish which had saved the expense of building the school. He thought this might be done under Clause 19, which gave power to the Board of Education to declare what expense should be included in capital expenditure. If it could not be done in that way perhaps the noble Lord would bring up the matter on the Third Reading.

THE EARL OF CREWE: The point of the noble Lord is one of real substance. It is perfectly clear that if a parish has saved the expense of building a school by means of this conveyance it ought to pay its fair share of that conveyance. Whether it should be done under Clause 19 is a matter we must consider, because it is difficult to imagine that the hire of an omnibus could be regarded as capital expenditure. I will consider the matter.

*THE LORD BISHOP OF SALISBURY said the clause he desired to move was to take the place of one which he had put down previously to safeguard the voluntary schools associations existing at the present time in many parts of the country. It was quite clear that many of those associations must come to an end when voluntary school management ceased to exist. The method he proposed was a very simple one. It was to allow any voluntary schools association to apply to the Board of Education for a scheme. This would not be necessary in every case, but wherever these associations were founded under trust deeds something of the kind was necessary. He hoped the Government would see their way to give this power, which would be much to the purpose in helping them in this matter. He might say, in reference to the remarks of Viscount St. Aldwyn, that these were the bodies to whom the school owners should delegate the control of religious instruction. They were representative bodies of men of expert knowledge, and included many laymen. They were exactly the sort of men to manage that difficult subject. He doubted whether parents' committees were likely to be a great success. He was anxious that parents should have the right to settle the primary question as to what doctrine their children should be taught, but whether they were persons likely to be best capable of controlling the details of religious instruction, he was not at all sure. At any rate he was quite certain that the voluntary schools associations would be bodies in which every one would have every confidence.

Amendment moved—

"To insert as a new clause: 'An application may be made under Section 14 of the Charitable Trusts Act (32 & 33 Vict. c. 110), 1869, to the Board of Education by the governing body of any association of voluntary schools in respect of any funds or property held or administered by them as if they were the trustees of a charity exempted from the operation of the Charitable Trusts Act.'"—(*The Lord Bishop of Salisbury.*)

*THE LORD BISHOP OF WAKEFIELD said that so far as he understood the proposal of the Lord Bishop of Salisbury, it was to deal with existing funds and property in the hands of these associations. But they wanted a little more extended powers than that. It would be for the general convenience for religious education to be administered by the representatives of the owners, and it would be for the convenience of the Board of Education that some further control should be secured by this Amendment. If the noble Lord would consider the matter, he would like to propose something to the effect that the owners of the school-house of any existing voluntary school, might, with the consent of the Board of Education, delegate any of their powers under this Act, and any powers with respect to endowments or rents held or received in respect of the schoolhouse, to any voluntary association constituted under this section. He would not enlarge upon the subject, but would ask the noble Earl whether, in accepting this clause, he would take into consideration the suggestion proposed, and on the Third Reading see if further extending words could be found.

THE EARL OF CREWE: We are anxious to meet the right rev. Bishop of Salisbury on this point. The right rev. Prelate raised this point at an earlier stage with regard to voluntary schools associations and also with regard to what will happen to the amount of the Parliamentary grants which are held by the school managers under paragraph 12 of the second section of the Act of 1902. In that case the funds are to be applied to the repairs of school buildings, and as we relieve these schools of the obligation of repairing the schools it is obvious that the purpose for which these funds were allotted to the trustees will come to an end. It is stated that the powers of the Board of Education as Charity Commissioners do not extend to dealing with the statutory trusts of the country, and therefore it is necessary to have a clause to deal with the matter. We propose to put that in this form—

"The Board of Education may, on the application of the governing body of any association of voluntary schools as respects any funds or property held or administered by that body at the date of the passing of this Act, and on the application of the managers of any existing voluntary school as respects any funds held by them at the date of the passing of this Act on account of payments made to them under paragraph (12) of the Second Schedule to the Education Act, 1902, make an order or scheme under the Charitable Trusts Acts, 1853 to 1894, for the administration or application of the funds or property so held, notwithstanding that the whole or any part of those funds or that property may be exempt from the operation of the said Acts."

That covers the whole position raised by the Bishop of Salisbury. But the right rev. Prelate who has just sat down opens up a much larger vista. So far as I could gather, he desires to apply it to such schemes as excited such horror in the mind of Lord Barnard, and which were construed by the House as being a serious interference with trusts, a somewhat dangerous precedent from the point of view of noble Lords opposite. I am afraid we can hold out no hope there.

LORD BARNARD reminded the right rev. Prelate that the principle of law applied to trustees and that trustees could not delegate their powers to anybody else.

A NOBLE LORD asked whether the objections of the noble Earl to the Amendment were objections to the essence or the form. He did not understand them to be objections to the essence of the Amendment. What he understood the Bishop of Salisbury and the noble Earl to be dealing with was the money in hand at the time this Act passed.

LORD FITZMAURICE did not quite see the point. There was no necessity in this Bill to deal with the matter. There was nothing to prevent anybody entrusted with these funds from forming themselves into a trust which would be bound by all the conditions of the law.

Amendment, by leave, withdrawn.

Amendment moved—

"To insert as a new clause: 'The Board of Education may, on the application of the governing body of any association of voluntary schools as respects any funds or property held or administered by that body at the date of the passing of this Act, and on the application of the managers of any existing voluntary school as respects any funds held by them at the date of the passing of this Act on account of payments made to them under paragraph (12) of the Second Schedule to the Education Act, 1902, make an order or scheme under the Charitable Trusts Acts, 1853 to 1894, for the administration or application of the funds or property so held, notwithstanding that the whole or any part of those funds or that property may be exempt from the operation of the said Acts.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

*THE LORD BISHOP OF WAKEFIELD said the Amendment he now moved was a very important one. Clause 27 provided under certain conditions for the compensation of certificated teachers who might lose their employment by reason of the passing of this Act. His Amendment was to remedy a great hardship. Besides the certificated teachers, who to a certain extent were provided for by this clause, there was a large class of teachers who were not certificated teachers, some of whom might be thrown out of employment by this Bill. It was hard to see why certificated teachers should be compensated and uncertificated teachers should not. The certificated teachers were well organised, the uncertificated teachers were unorganised, and as a body were inarticulate and voiceless. The certificated teachers were better able to take care of themselves than the uncertificated who were well nigh helpless in this matter of securing immunity from a great hardship. These uncertificated teachers had done excellent service to the State for many years; many of them had been loyal and faithful servants not only to the State but to religion, in which connection their work had had a special attraction for them. He expressed great gratitude to these uncertificated teachers for their ungrudging service. It might be said that the number of uncertificated teachers was so large that the burden thrown upon this Bill would be too great. The number of certificated teachers was 78,734, all other classes of teachers except pupil teachers and probationers amounted to 61,468, that was to say, the certificated teachers formed 56 per cent. of the whole. It was a little difficult to find out what proportion of the 61,468 were teachers in the voluntary schools and would come under the operation of this clause, but he had ascertained the number that might be affected was 34,501, and of that number no less than 90 per cent. were women. That, no doubt, was a large number of persons, but in reality the number who would come in for compensation would be very small. It was computed that only one per cent. of that number. Under those circumstances it might be taken that most of these teachers would continue their employment. But there were cases where compensation would be needed, and those would be the cases of long service. He referred specially to instances of long service by single women. He thought such cases had been considerably overlooked by this Clause which had been introduced with a considerable amount of haste. If the number to be dealt with was still thought to be too large he would suggest that it might be limited by adding "ten years service" as a qualification, but he thought the number was not a very great objection because it would only be the most deserving who received the modest solatium under this clause. When they looked at the amount, their Lordships would see that in the case of total deprivation of employment no teacher could receive more than three years salary. One other objection might be taken to the proposal. It might be said that it was not within the competence of this House to propose such an Amendment, because being a financial matter it would be an infringement of the privileges of another place. If that objection were raised he would humbly suggest that no new financial issue was raised by the Amendment; that it was only a slight extension of the principle of compensation raised in the other House. He was encouraged to take this view because the Government themselves had made a considerable extension under Clause 10.

Amendment moved—

"In page 20, line 22, to leave out the word 'certificated,' and after 'teacher' to insert the words 'other than a pupil teacher or probationer.'"—(*The Lord Bishop of Wakefield.*)

VISCOUNT HALIFAX said he earnestly supported the Amendment of the right rev. Prelate. If it was not agreed to there was no doubt great injustice would be done.

THE EARL OF CREWE: I am sorry not to be able to accept this Amendment, and I am bound to say, speaking for myself, I am as little in love with this clause as any in the Bill. Personally, so far from desiring to extend it, I should have preferred to limit its operation. I am afraid I must, not I think for the first time, take the objection to which the right rev. Prelate has alluded that it is not within the competence of this House to insert in the clause a provision of this kind. I am afraid the right rev. Prelate is not very familiar with the Resolution of the House of Commons which governs these matters, but if he looks at the Minutes he will find that such a case as this undoubtedly infringes the privileges of another place in regard to dealing with money matters. But even apart from that, I am afraid I could not agree to the placing of such a burden of an entirely unknown character on the local authority. This was not intended so much as a compassionate allowance as a means of arranging for the distribution of certain efficient people who, owing to the large change in the machinery of the public elementary schools, may be without employment. It is not intended that it should be a means of supplying more or less inefficient teachers with a kind of pension beyond anything they might otherwise be entitled to. I think the right rev. Prelate has rather mistaken the object of the clause in that respect. I cannot accept the modification.

*THE MARQUESS OF LANSDOWNE: The noble Earl the Lord President objects to this Amendment because, in the first place, it is an invasion of the privileges of the House of Commons. That is an argument we are often favoured with in this House, but I am always struck with the intermittent manner in which it is used. I do not think my recollection plays me false when I say that no longer ago than last Thursday night, the noble Earl moved an Amendment which certainly involved additional expense in lighting and warming the schools.

THE EARL OF CREWE: I merely moved what I believed to be the intention of the Bill when it came up from another place. It did not involve any further charge.

*THE MARQUESS OF LANSDOWNE: I only spoke from memory. Now, speaking on the merits of this Motion, does not this section involve injustice to these teachers? What reason is there for this difference of treatment in regard to compensation? If you look at Clause 8 of the Bill you will see that all teachers are guaranteed continuity of employment when their schools are transferred to the local education authority. It certainly does seem rather hard that this particular class of teacher should be debarred from compensation which is granted to a teacher of a different sort. Is it not also the case that the hardship on the uncertificated teacher is greater than that on the certificated teacher, the certificated teacher being more likely to obtain other employment than the uncertificated. If he is thrown out of work it may be extremely difficult for him to find further employment. They are people who have done a great deal of work for the elementary education of this country, and they should I cannot help thinking be entitled to compensation if they lose their employment.

THE EARL OF CREWE: As a personal explanation I may say I have studiously avoided on all occasions raising the question of infringing the privileges of another place, and I should not have raised it on this occasion had not the right rev. Prelate referred to it.

THE MARQUESS OF LONDONDERRY said he had always noticed that the argument as to the infringement of privilege was used in the manner most agreeable to the Party in power. This particular privilege appeared to be of the most elastic character when, in the discussions on the Irish land proposals of Mr. Balfour, a clause which involved expenditure was extended and carried through this House. He endorsed most heartily what had fallen from the Leader of the Opposition. He thought it extremely hard that certain people who had conscientiously discharged their duties as teachers should be treated differently from others simply because they came in a different category. He had had some experience of the manner in which these teachers discharged their duties, and he thought they were justified in asking the noble Earl to reconsider the matter before it came up at a future stage. It might be a matter of privilege, but something ought to be done for this deserving class.

On Question, Amendment negatived.

Amendments moved—

"In page 20, line 26, after the word 'salary' to insert the words 'or emoluent'."

"In line 37, after the word 'salary' to insert the words 'or emolument.'"—(*The Earl of Crewe.*)

*VISCOUNT ST. ALDWYN said they ought to be very particular in these matters of privilege. Were not these Amendments quite as much a breach of privilege as that to which the noble Earl objected just now?

THE EARL OF CREWE: If Mr. Speaker thinks so he will bring the matter to the attention of the House of Commons.

A NOBLE LORD: Then I think in all cases we ought to leave it to Mr. Speaker to take notice of the breach.

THE MARQUESS OF SALISBURY thought it was rather hard that the noble Earl should deal with these Amendments in a different manner from that in which he dealt with the Amendment of the right rev. Prelate. He would have thought that what was sauce for the goose was sauce for the gander.

THE EARL OF CREWE: I do not think this is a matter of privilege, and I only mentioned the matter before because the right rev. Prelate laid down the law upon the matter, and as a member of the Government I could not let his opinion pass unchallenged. If noble Lords think it is a matter of privilege I do not press it.

On Question, Amendments negatived.

Drafting Amendments agreed to.

VISCOUNT LLANDAFF said the details of his Amendments to the schedule would take some time to explain, and he would not at that hour discuss them unless the Lord President desired him to do so.

THE EARL OF CREWE: I think it would be more satisfactory to postpone the whole question of the schedule until the Third Reading. It would be difficult to deal with it now, and if noble Lords agree I think in view of what has taken place we will have the schedule thoroughly rearranged.

Bill to be read 3ª on Thursday next, and to be printed as amended. (No. 224.)

House adjourned at a quarter past Twelve o'clock a.m., till half past Ten o'clock a.m.

HOUSE OF COMMONS.

Monday, 3rd December, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

SMALL LANDHOLDERS (SCOTLAND) BILL.

Petition from Edderton, for alteration; to lie upon the Table.

RETURNS, REPORTS, ETC.

POST OFFICE TELEGRAPHS, INCLUDING TELEPHONES.

Account presented, showing the gross amount received and expended on account of the Telegraph Service during the year ended 31st March, 1906, etc. [by Act]; to lie upon the Table, and to be printed. [No. 369.]

TREATY SERIES (No. 18, 1906).

Copy presented, of Agreement between the United Kingdom and Belgium respecting Commercial Travellers' Samples. Signed at Brussels, 10th November, 1906 [by Command]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3734 to 3736 [by Command]; to lie upon the Table.

NATAL.

Copy presented, of Further Correspondence relating to Native Disturbances in Natal [by Command]; to lie upon the Table.

BOARD OF EDUCATION.

Copy presented, of Report of the Board of Education for the year 1904–5 [by Command]; to lie upon the Table.

ORDERS OF THE DAY.

MR. SWIFT MACNEILL (Donegal, S.) called attention to the fact that a notice of Motion in the name of Sir James Woodhouse, who was no longer a member of the House, stood upon the Notice Paper. He asked the Speaker to direct that it be expunged.

*MR. SPEAKER said that the officials of the House had anticipated the hon. Member, and the notice did not appear in the Order Paper to-day.

MR. SWIFT MACNEILL: It was on the Paper that I saw.

*MR. SPEAKER: I have the order book in my hand, and it certainly does not appear there.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Pay of Dockyard Workers.

MR. E. H. LAMB (Rochester): To ask the Secretary to the Admiralty, in reference to the statement just issued by the Lords Commissioners of the Admiralty, whether he can fix a date when an answer may be expected to the following requests which are stated therein to be still under consideration, viz., that smaller deductions may be made from the pay of hired men when placed on the establishment, and that overtime pay may not be subject to deduction, and that the wages of all chargemen of the principal trades at Chatham and Sheerness shall be assimilated and a definite scale of pay instituted.

(*Answered by Mr. Edmund Robertson.*) I am not at present in a position to say when the decision will be announced in regard to the question of the deduction made from the pay of hired men when transferred to the establishment. As regards the other two points mentioned in the Question, instructions will be issued to the yards at an early date.

Salary of F. M'Govern, Postman at Curlough.

MR. VINCENT KENNEDY (Cavan, W.): To ask the Postmaster-General whether he has received a Resolution from representatives of the people in Curlough, county Cavan, asking that Francis M'Govern, postman on the Bawnboy to Curlough walk, do have his salary increased; and will the matter have his sympathetic consideration.

(*Answered by Mr. Sydney Buxton.*) I have not yet seen this application, but I can assure the hon. Member that it shall receive careful consideration.

Damage to Postmen's Capes at Cheltenham.

MR. SEARS (Cheltenham): To ask the Postmaster-General whether he is aware that at Cheltenham postmen are forbidden to hang clothing upon the hooks in the retiring room apparently provided for that purpose; whether he is aware that, in consequence of this order, the men are obliged to put their capes, etc., in their lockers, and that in five cases damage to the capes has resulted, and the men concerned have been fined 2s. each; and whether, in the circumstances, he will order the repayment of this money.

(*Answered by Mr. Sydney Buxton.*) I will inquire into this matter and communicate with the hon. Member.

Vacancies for Telephone Exchange Managers.

MR. WILES (Islington, S.): To ask the Postmaster-General when the vacancies for telephone exchange managers announced in the Post Office Circular, No. 729, on the 21st August, will be filled; whether he can state the number of vacancies which exist; and whether the appointments will be announced in the Post Office Circular.

(*Answered by Mr. Sydney Buxton.*) The selection of officers for the situations in question, five in number, is under consideration, and I hope to be able to arrive at a decision in the matter very shortly. Appointments of this nature are not announced in the Post Office Circular.

Portadown Post Office Staff.

MR. SLOAN (Belfast, S.): To ask the Postmaster-General whether a revision of the staff of the post office in Portadown is contemplated; if so, how long has the question been under consideration and can he state the approximate date upon which a decision in the case is likely to be arrived at; whether under such a revision a considerable increase to the indoor staff is intended, and, if so, what is the probable number; whether it is proposed that the present staff shall be obliged to continue for a further considerable period to perform the duties which in course of time will be distributed over an increased staff; and is he aware that some members of the present staff are and have been for some time past discharging the duties incident to the position of supervisors but without official recognition.

(*Answered by Mr. Sydney Buxton.*) Proposals for a revision of the indoor staff at Portadown post office were submitted in February last. The revision provides for a small increase to the indoor staff, and will, I hope, be sanctioned shortly. Temporary force has been provided to cope with the increased work pending the carrying out of the revision. As regards the last part of the hon. Member's Question I will have inquiry made.

Withdrawal of Cavalry from Scotland.

MR. McCRAE (Edinburgh, E.): To ask the Secretary of state for War whether, having regard to the feeling existing in Scotland as to the proposed withdrawal of cavalry from Piershill Barracks, he can make any statement as to the policy of the War Office with regard to the matter.

(*Answered by Mr. Secretary Haldane.*) I am well aware of the feeling alluded to, but I am not at present in a position to make any announcement as regards the future of these barracks further than I have already done in this House and in a letter I have addressed to the Lord Provost of Edinburgh in response to a communication from him.

Allowance to Sheriffs.

MR. TILLETT (Norwich): To ask the First Lord of the Treasury whether his attention has been called to a petition presented by the sheriffs of certain cities and towns being counties of themselves, praying that similar allowances may be made to them as are made to sheriffs of counties at large for, amongst other matters, advertising assizes, the attendance of the sheriff and under-sheriff upon His Majesty's judges of assize, the use of the sheriff's carriage for His Majesty's judges, the impanelling and summoning of jurors, refreshments, board and lodging of jurors when ordered to be detained, and for the fee paid to a common hangman for carrying out a sentence of death; and whether, seeing that in the case of counties, of cities, and towns, the whole of such expenses fall upon the sheriffs themselves, save in two or three cities and towns where by ancient custom allowances for certain of the above expenses are payable out of the boroughs' funds, he will say what steps he is prepared to take in the matter.

(*Answered by Sir H. Campbell-Bannerman.*) Long-established practice is the reason for making grants in these cases to sheriffs of counties who are appointed by the Crown, and for not making them to sheriffs of cities and towns who are appointed by the corporations, and I do not think that there is anything in the circumstances of the present time to call for a departure from that practice.

Strength of Militia Battalion.

MR. FIENNES (Oxfordshire, Banbury): To ask the Secretary of State for War if he will state what is the full strength of a Militia battalion, and what is the strength of the permanent staff detailed thereto; the number and names of the battalions below 500 officers and men; and the strength of the permanent staffs detailed for service with each.

(*Answered by Mr. Secretary Haldane.*) Return showing the number and names of the Militia battalions below 500 officers and men, and the strength of the permanent staffs detailed for service with each. Dated 1st November, 1906.

Names of Battalions below 500 Officers and Men.		Strength of the Permanent Staffs detailed for service with each.	Strength on 1st November, 1906.	
			Officers.	Militiamen.
3rd Battalion	Royal West Surrey Regiment	30	21	465
3rd ,,	Royal Lancaster Regiment -	30	12	451
4th ,,	,, ,, ,, -	30	14	403
3rd ,,	Lincolnshire Regiment - -	24	15	379
4th ,,	,, ,, - -	24	11	479
3rd ,,	Devonshire Regiment - -	24	16	409
4th ,,	,, ,, - -	24	16	357
3rd ,,	Somersetshire Light Infantry	24	14	242
4th ,,	,, ,,	30	17	338
3rd ,,	Royal Scots Fusiliers - -	30	11	421
3rd ,,	Cheshire Regiment - -	30	13	469
3rd ,,	Royal Welsh Fusiliers - -	24	14	347
4th ,,	,, ,, - -	24	13	417
4th ,,	South Wales Borderers - -	24	10	388
3rd ,,	King's Own Scottish Borderers	30	17	469
3rd ,,	Scottish Rifles - - -	36	9	418
3rd ,,	Royal Inniskilling Fusiliers -	24	15	250
4th ,,	,, ,, -	24	12	366
5th ,,	,, ,, -	24	15	414
3rd ,,	Gloucestershire Regiment -	30	15	404
4th ,,	,, ,, -	24	15	475

Names of Battalions below 500 Officers and Men.	Strength of the Permanent Staffs detailed for service with each.	Strength on 1st November, 1906.	
		Officers.	Militiamen.
6th Battalion Worcestershire Regiment -	30	13	476
3rd " Duke of Cornwall's Light Infantry - - -	24	13	205
3rd " Border Regiment - - -	24	8	432
4th " " " - - -	24	10	209
3rd " Royal Sussex Regiment -	30	19	361
3rd " Dorsetshire Regiment - -	24	14	311
4th " Oxfordshire Regiment - -	24	14	286
3rd " Nottinghamshire and Derbyshire Regiment - -	30	11	414
3rd " Northamptonshire Regiment -	30	16	474
3rd " Royal Berkshire Regiment -	24	12	339
3rd " Shropshire Light Infantry -	30	9	407
4th " " " " -	24	8	293
5th " King's Royal Rifle Corps -	17	8	380
8th " " " " -	17	5	346
3rd " Wiltshire Regiment - -	24	15	403
3rd " Royal Irish Fusiliers - -	30	12	473
4th " " " - -	20	10	248
5th " " " - -	20	11	244
3rd " Connaught Rangers - -	20	8	392
4th " " " - -	24	7	292
3rd " Argyll and Sutherland Highlanders - - - -	25	10	415
3rd " Leinster Regiment - -	24	10	433
4th " Royal Munster Fusiliers -	27	17	377
3rd " Royal Dublin Fusiliers - -	24	11	462
6th " Rifle Brigade - - -	30	16	439

Civil Service Rules of Seniority.

MR. WILLIAM REDMOND (Clare, E.): To ask the Secretary to the Treasury what is the rule of seniority among clerks of the higher grade of the second division of the Civil Service; does it depend on the service and standing of the clerk in the higher grade, as in a distinct class, or on the total length of service in the second division, irrespective of the date of promotion into the higher grade.

(*Answered by Mr. McKenna.*) No rule on the specific question has been promulgated, and, in view of the fact that promotions depend on merit and not on seniority, the Treasury thinks it unnecessary and undesirable to make any rule on the subject.

Employment of Natives in Higher Branches of Indian Civil Service.

MR. HART-DAVIES (Hackney, N.): To ask the Secretary of State for India when the Report of the Committee on the extended employment of natives of India in the higher branches of the public service may be expected.

(*Answered by Mr. Secretary Morley.*) I understand my hon. friend to refer to the Committee of the Governor General's Council appointed to consider reforms in the Indian Councils, and I believe that its Report will shortly be considered by the Government of India.

Purchase of the Estate of Purefoy Poe, of Callan, County Kilkenny.

MR. MEAGHER (Kilkenny, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will inquire of the Estates Commissioners if negotiations for the purchase of the Rossmore estate of Purefoy Poe, Esquire, Harley-park, Callan, county Kilkenny, have been completed; if so, has the untenanted land on this estate been included in the purchase; what provision, if any, has been made to restore to their holdings on this estate the representatives of the evicted tenants John Whelan, junior, and John Whelan senior; and if, in the event of the sale of the untenanted lands, due consideration will be given to the enlargement of uneconomic holdings thereon, and the balance, if any, kept in reserve for the restoration to holdings of *bona fide* evicted tenants, many of whom reside in this district.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that eleven purchase agreements signed by tenants on the estate in question were lodged with them in January last. The lands comprised in the originating application include 147 acres, which appear to be an evicted holding, and which the vendor asks the Commissioners to purchase for distribution by them, and 873 acres consisting of the vendor's demesne, which he proposes to repurchase. No applications for reinstatement have been received from John Whelan, senior, or John Whelan, junior. An application has been received from John Phelan, and this has been referred to an inspector for inquiry and report. The question of the purchase and re-sale of the vendor's demesne and of the untenanted land generally will receive due consideration from the Comissioners when they come to deal with the estate.

Police as Caretakers of an Evicted Farm at Stoneyford.

MR. MEAGHER: To ask the Chief Secretary to the Lord-Lieutenant of Ireland by whose orders the police at Stoneyford, county Kilkenny, are acting as caretakers of an evicted farm on the Glauntha estate of the Rev. Mr. Prichard, from which Mr. Richard Reddy was evicted; whether extra police have been added to the station at Stoneyford for that purpose; whether he is aware that cattle supposed to belong to the owner or occupier of the said farm did damage by trespassing on the corn crop of a neighbouring farmer, named Lee; that, for the purpose of recovering compensation for this damage, Lee demanded the name of the occupier from the police, and was refused; and whether he will order that Lee and others who may suffer from such trespass as in this case will be allowed an opportunity of recovering damages.

(*Answered by Mr. Bryce.*) I am informed by the Inspector-General that the police do not act as caretakers of the farm referred to, though they frequently patrol near it for the preservation o the peace. No extra police have been sent to Stoneyford station for any purpose. In June last Mr. Lee reported to the local police that some cattle had trespassed on his cornfield, and asked the police for the name of the owner. The sergeant informed Mr. Lee that he should make his complaint to the owner's herd, adding that the police did not interfere in disputes as to trespass. The Inspector-General informs me that the sergeant's action was proper, as it is not the duty of the police to supply persons with material for civil proceedings. If such proceedings were instituted upon information furnished by the police, they might become involved in matters which do not concern them.

Issue of Loan for Building New Schools at Ferns, County Wexford.

SIR THOMAS ESMONDE (Wexford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland when the loans for the building of the proposed new schools in the parish of Ferns, county Wexford, will be issued.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that they cannot yet name the precise date when the grants, not loans, for the building of these schools will be issued. The question of the floor-space per pupil to be allowed in the designs for new schoolhouses is now under consideration, and as soon as a decision upon that point is arrived at, which I trust will be very shortly, it may be expected that the issue of building grants can proceed forthwith.

Sale of Grazing Farms on the Gore-Booth Estate.

MR. O'DOWD (Sligo, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the grazing farms of Cletty and Ardrea, on the Gore-Booth, Ballymote, County Sligo, estate, comprising 135 and 354 acres respectively, were offered for sale to the Estates Commissioners, in March, 1905, by Sir Joselyn Gore-Booth, with the consent of the occupying tenant of one of these farms, Mr. Robert Gorman; and, if so, will he explain the cause of delay in completing purchase negotiations.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that last week they made an offer to Sir Joselyn Gore-Booth for the purchase of the lands of Cletty, which are in his own occupation, and also for the lands of Ardrea and Cloonagashel, which are at present in the occupation of Robert Gorman. The owner has not yet informed the Commissioners whether he is prepared to accept their offer.

Sale of Tulinaglug Estate, County Sligo.

MR. O'DOWD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the estate of Tulinaglug, situate near Tubbercurry, County Sligo, and until recently owned jointly by Messrs. Phibbs and Cogan, has been offered for sale to the Estates Commissioners or the Congested Districts Board by the present owners, Messrs. Martin Phibbs and Bernard Martin, or whether any portion of this estate, which is in Chancery, has been offered for sale to either of these departments recently.

(*Answered by Mr. Bryce.*) The Answer to both branches of this Question is in the negative.

Puchase of the Begley Estate, Claremorris.

MR. JOHN O'DONNELL (Mayo, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Begley estate, comprising the townlands of Iskerlavally and Drimneen, in the electoral division of Claremorris, union of Claremorris, has been offered for sale by the landlord to the Congested Districts Board; and, if so, what price has he asked, and what number of years purchase, if any, has been offered by the Board.

(*Answered by Mr. Bryce.*) I am informed by the Congested Districts Board that the property in question has not been offered for sale to the Board.

Reinstatement of Evicted Tenants—Case of Joseph Coote, of Carne, County Cavan.

MR. VINCENT KENNEDY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application for reinstatement from Joseph Coote, who was evicted in December, 1893, from his farm in Carne, Ballyjamesduff, County Cavan, by Lord Farnham; who is in possession of this farm now; and what prospect has this evicted tenant of being restored.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have received from Joseph Coote an application for reinstatement, and have referred it to an inspector for inquiry. Until the Commissioners have received and considered the inspector's report they are unable to answer the remainder of the Question.

Extension of Arklow Pier.

Sir THOMAS ESMONDE: To ask the Chief Secretary to the Lord Lieutenant of Ireland when the Government will allow the work of extending Arklow Pier to commence.

(*Answered by Mr. Bryce.*) In reply to the hon. Baronet's Question of the 5th November,† I fully stated the position of affairs in respect of Arklow Harbour. The expert advisers of the Government are unanimously of opinion that the proposed extension of the pier would not effect the desired object, and might involve a lamentable waste of public money. They are further of opinion that the requirements of the case would be met by a continued dredging of the entrance to the harbour, and, moreover, that the necessity for dredging would not be diminished by the proposed extension of the pier. These views have been commended by the Government to the earnest consideration of the Arklow Harbour Board. It is not the intention of the Government to withhold the grant which has been promised for the improvement of the harbour, but it is obviously their duty to secure, so far as may be possible, that the grant to be made from public funds should be expended in such a way as to give the best results. All the £14,000 allotted will be spent upon the harbour; the only question is as to what mode of spending it will really benefit the town, the industrial development of which largely depends upon the harbour; and, in face of the strong opinion of their expert advisers, the Government must satisfy themselves, and, if possible, also satisfy local opinion, as to what that mode is.

Grants to Fishermen on South-East Coast of Ireland.

Sir THOMAS ESMONDE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will permit some portion of the money now utilised and lying to the credit of the Department of Agriculture, to be devoted to the assistance of the fishermen on the South-East Coast of Ireland.

(*Answered by Mr. Bryce.*) I am informed that the purposes to which the unallocated balance of the endowment fund of the Department of Agriculture may be applied have received the consideration of the Agricultural Board, and it has been decided that this balance, amounting to about £130,000, is required to meet the present excess of annual expenditure over normal income for the purposes of agriculture and other rural industries, and sea fisheries, as defined in Section 30 of the Agriculture and Technical Instruction Act of 1899. The Department point out that they have expended and are expending considerable sums of money on the improvement of fishery piers and harbours in connection with the South-East Coast fisheries, namely, at Arklow, in County Wicklow, at Courtown, Poulduff, and Slade, in County Wexford, and at Passage East, Dromore, Ballinagoul, and Ardmore, in County Waterford. The Department are not prepared, in the present state of their funds, to undertake further expenditure of this nature.

Sale of Lord Orkney's Estate—Tenants Grazing and Turf Privileges.

Mr. KENDAL O'BRIEN (Tipperary, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that application has been made to Lord Orkney, who has sold his estate to the tenants at Castle My, County Tipperary, for the purchase of a large cottage, with two acres of untenanted land on the estate, to be used as a school teacher's residence and a village hall, formerly used by his gamekeeper; whether he is aware that Lord Orkney has given it to his bailiff, James Hynes, who holds 100 acres of land on this estate and 40 acres on others, and also has made him and his brother, Andrew Hynes, tenants of large portions of cut-away bog and thus deprived the small tenants of grazing and turf privileges which they have enjoyed for over fifty years; and whether, under these circumstances, the Estates Commissioners will sanction the sale of the estate without inquiring into this matter and inspecting the small holdings, and, if possible, seeing that the cottage be obtained for the above useful project.

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† See (4) *Debates*, clxiv, 93-94.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have no knowledge of the circumstances alleged in the Question. Purchase agreements signed by James Hynes and Andrew Hynes in respect of holdings on the estate of the Earl of Orkney were lodged with the Commissioners in July last, and the circumstances connected with the purchase of these holdings will be duly inquired into when the estate is being inspected.

Reinstatement of Evicted Tenants—Case of William Maher, of Thurles.

MR. KENDAL O'BRIEN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say what steps the Estates Commissioners have taken to reinstate William Maher, of Ballycahill, Thurles, county Tipperary, in his holding, evicted tenant on the property of Dr. Lambe Atthall; whether an inspector of the Estates Commissioners has yet made any inspection of it; and, if so, with what result.

(*Answered by Mr. Bryce.*) The Estate Commissioners inform me that they have not received an application for reinstatement from William Maher, and have, therefore, taken no steps in the matter.

Application of the Contagious Diseases (Animals) Acts.

SIR THOMAS ESMONDE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will make arrangements with the Department of Agriculture, with a view to the more effective application of the Contagious Diseases (Animals) Acts, whereby their veterinary inspectors, stationed in the country, will receive notice of any reported cases of disease within their districts direct from the police, and whereby, in reported cases of swine fever where their inspector is satisfied that the disease exists, the Department will authorise them to proceed forthwith with the slaughter of the animals affected, and thus obviate the delays consequent upon the present system.

(*Answered by Mr. Bryce.*) The veterinary inspectors of the Department of Agriculture are in charge of large districts, and are frequently absent from home on duty. If notifications of disease were sent direct to their private addresses by the police there might be considerable delay in such communications reaching them. Under the existing system, notifications of disease are sent by the Department, with the necessary instructions, to the inspectors wherever they may happen to be, and this system has been found, after many years' experience, to be the most advantageous from the standpoint of the effective working of the Diseases of Animals Acts generally. As regards the slaughter of swine for swine fever, that is quite a discretionary matter under the Acts, and it has been considered better that the Department should reserve to itself the power, in the individual cases, of directing whether slaughter shall be carried out rather than to issue a general authorisation on the subject to the district veterinary inspectors.

Reinstatement of Evicted Tenants on Mr. W. Nelegan's Estate, County Cork.

MR. SHEEHAN (Cork County, Mid.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that several tenants on the estate of Mr. Walter Nelegan, near Blarney, County Cork, have been paying interest to the Land Commissioners at the rate of 4 per cent., and that others on the same estate are still paying rent, as they have refused to sign for purchase until the tenant who has been evicted has been reinstated; whether he is aware that it has been held out as an inducement to the tenants to advance the price offered for the land from twenty years to twenty-one and a half years that the evicted tenant will be reinstated; and, seeing that the present occupier of the evicted farm is attempting to add a large sum to the purchase money in lieu of arrears whether an inspector will be sent to inquire into all the circumstances of the case.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that, according to the purchase agreements lodged in this case, the purchasing tenants have agreed to pay interest in lieu of rent at the rate of 4 per cent. on the purchase money pending the completion of the sale. The Commissioners are not aware of the terms offered to the tenants who have not signed purchase agreements or of the circumstances under which they have refused to purchase, but this matter will be duly inquired into when the estate is being inspected. An application for reinstatement on the estate has been received from an evicted tenant whose former holding is stated to be in the occupation of another tenant. This application, with others of a similar nature, has been referred to an inspector for inquiry.

South African Compaign of 1881.

SIR FRANCIS CHANNING (Northamptonshire, E.): To ask the Secretary of State for War whether he is aware that there is among the survivors of the troops who fought in the South African campaign of 1881, many of whom were severely wounded and invalided, soreness of feeling that they have had no form of recognition, even qualified, of their service, although many men who have received medals for the late war were engaged in operations, temporarily unsuccessful, like the operations of 1881; and whether he will reconsider this matter with a view either of giving to these survivors of the operations of 1881 some modified kind of recognition of their services, or, if that cannot be done, at any rate some recognition of some kind to those who were wounded or otherwise disabled in those operations.

(*Answered by Mr. Secretary Haldane.*) This proposal to give medals for the campaign of 1881 has several times been considered and negatived, and I see no reason for altering the decision arrived at. Men disabled or wounded in this campaign have received the same treatment as regards pension as those similarly suffering from the results of other campaigns.

Foreign Office Examinations.

SIR C. HILL (Shrewsbury): To ask the Secretary of State for Foreign Affairs whether, in view of the dissatisfaction which has been caused in geographical circles as shown by the communication of the President of the Royal Geographical Society, he will reconsider the decision to omit geography from amongst the subjects for the diplomatic and Foreign Office examinations.

(*Answered by Secretary Sir Edward Grey.*) The assimilation of the Foreign Office and diplomatic examinations with the examination for the Home and Indian Civil Services was agreed to after careful consultation with the Civil Service Commissioners, the object being, as I have already stated, to attract men of university education. Geography is not one of the subjects in which candidates for the Home and Indian Civil Services are examined, and as a knowledge of this subject is very soon acquired in the Foreign Office it was not considered necessary to add it to the list of subjects for examination. Experience will show if a modification of the new regulations is desirable; but I do not propose to make any further change in the Foreign Office and diplomatic examinations unless it is made in the Civil Service examinations generally.

Macedonian Finance.

MR. REES (Montgomery Boroughs): To ask the Secretary of State for Foreign Affairs, whether, in view of the fact that the finances of Macedonia have been administered, under agreement with the Powers, through the Imperial Ottoman Bank since March 1905, he will request the British financial adviser on the Reform Commission in Macedonia to endeavour to obtain financial statements showing the revenue and expenditure under the different headings for the Macedonian provinces since March

1905, and any further information which it may be possible to obtain to illustrate the financial position in Macedonia during periods convenient for comparison.

(*Answered by Secretary Sir Edward Grey.*) The British Delegate on the Financial Commission for the three Roumelian vilayets will be requested to furnish whatever information on the subject is available.

MR. LYNCH (Yorkshire, W.R., Ripon): To ask the Secretary of State for Foreign Affairs whether it is proposed that the sums hitherto derived under Article XII. of the agreement between the Porte and the Imperial Ottoman Bank, or from other sources, and employed to defray the deficit in the Macedonian Budget, shall continue to be so employed, or, if not, to what extent; and whether the additional Customs duties, together with the further amount of £250,000 a year to be provided by the Council of the public debt, will be supplemental to the above sums or in substitution for them.

(*Answered by Secretary Sir Edward Grey.*) As I have already stated, the Porte has been unable to meet its obligations under the Article referred to out of existing revenues, and the deficits have been made good mostly out of loans. When the resources mentioned in the last paragraph of the Question become available, the Porte will clearly be relieved of the necessity of raising temporary loans for the current Macedonian expenditure.

King's Plates for Irish Races.

MR. HAYDEN (Roscommon, S.): To ask the Secretary to the Treasury, whether any, and, if so, how much, public money is paid in respect of racing in Ireland; through whom and on whose advice is this money disbursed; whether he can state the names of the racecourses subsidised and the amounts paid in each case; and whether any representative or elected body in Ireland is consulted on the matter.

(*Answered by Mr. Runciman.*) The sum of £1,563 is provided annually for King's plates to be run for in Ireland, under the Vote for Miscellaneous Expenses, Class VII., 2. The provision was transferred from the Civil List to Votes in 1831. The conditions on which the plates are competed for are determined by the Master of the Horse on the recommendation of the Lord-Lieutenant for Ireland. The payments are made to the winners of the plates on joint application to the Irish Government by the clerk of the course and the lieutenant of the county. The present distribution dates from 1900, when the valuation of the plates was altered and the number reduced to eight, the total amount remaining as before, viz:—

	£	s.	d.
The Curragh	315	0	0
,,	315	0	0
,,	210	0	0
,,	210	0	0
County Down	197	6	2
Bellewstown	105	0	0
Cork Park	105	0	0
County Galway	105	0	0
	£1,562	6	2

Irish Drainage Board.

MR. VINCENT KENNEDY: To ask Mr. Attorney-General for Ireland if he will state the names of the different drainage boards in Ireland, saying when and how they were constituted, and whence they derive their powers.

(*Answered by Mr. Runciman.*) I understand that there are 121 drainage districts constituted under the Act 5 and 6 Vic., c. 89, and amending Acts, and 63 districts constituted under the Act 26 and 27 Vic., c. 88. To give their names and dates would exceed the limits of an Answer to a Question; but the honourable Member will find them, as regards the first class, in the Report of the Commissioners of Public Works for 1863–4; and, as regards the second, in their Report for 1904–5.

Cocoa and Chocolate Contract for the Navy.

MR. GIBBS (Bristol, W.): To ask the Secretary to the Admiralty whether any of the cocoa and chocolate supplied to the Navy is bought in Bristol.

(*Answered by Mr. Edmund Robertson.*) The Answer is in the negative; but Bristol firms have the opportunity of tendering if they wish to do so.

Income Tax Excess Payments.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask Mr. Chancellor of the Exchequer whether he is aware that repayment claims for return of overpaid income-tax are dealt with by the unestablished clerks in the offices of the surveyors of taxes, and that when a surveyor of taxes is on leave all details of income-tax, including special assessments, are accessible to an unestablished clerk as his deputy; and whether, seeing that within the past five years clerks in surveyors' offices have been convicted of fraud in connection with repayment claims, and that business men object to confidential details as to their business and income being in the hands of clerks who are not Government officials but mere employees of the surveyors of taxes, he proposes to take any action in the matter.

(*Answered by Mr. Asquith.*) The routine work connected with most repayment claims is performed for surveyors by their clerks. But where the amount of an assessment under Schedule D. is in question the case is dealt with by the surveyor himself. In the seventy-nine most important districts the assistant surveyor is in charge during the absence of the surveyor. In forty-one of the remainder charge is taken by another surveyor of taxes having an office in the same building as the absent surveyor. In the remaining districts the surveyor of a neighbouring district takes charge. All special assessments and confidential papers are, by the instructions, to be kept under lock and key, and access to them should not be open to a clerk even in the absence of the surveyor. Only one instance of fraud by a clerk in a surveyor's office in connection with repayment claims has occurred within the last five years, and that did not touch assessments under Schedule D. Surveyors' clerks are required to make a declaration of secrecy.

Cong Canal.

MR. FETHERSTONHAUGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland what amount of public money was spent in the construction of the canal at Cong, county Mayo, intended to join Loughs Mask and Corrib; is this canal, from absence of water, at present entirely useless; has the Canal Commission invited evidence as to this canal and its utility to Ballinrobe and the district abutting on Lough Mask if it were put in order; and, if not, will he direct the attention of the Commission to the matter.

(*Answered by Mr. Bryce.*) I am informed by the Board of Works that they have not the materials for stating the amount spent on the canal at Cong, because this canal formed part of a larger scheme which was only partially carried out, and the records available do not distinguish the amount spent on this part of the works from that which was spent on other parts. The scheme provided for both drainage and navigation. The expenditure on the navigation works of that part of the scheme which included the Cong Canal was £40,583, and the Government bore the whole of this charge. The canal was left unfinished. It is useless for navigation owing to the absence of water, which absence of water is due to the fact that the canal was made through limestone which turned out to be fissured. I understand that the Royal Commission on Canals and Waterways, besides inviting evidence by notices in the newspapers, also invited evidence directly through the County Council of Galway and the town of Galway, and heard Professor Townsend, the engineer and secretary of the Lough Corrib Navigation, and also Mr. Perry, county surveyor of Galway. I am informed by the secretary of the Commission that if any persons interested in this particular canal still desire to give evidence on the subjects they should address themselves to the Commission, when their applications will be fully considered.

Ballinagore Police Barracks.

MR. SULLIVAN (Westmeath, S.): To ask the Chief Secretary to the

Lord-Lieutenant of Ireland if he will explain why the police barrack at Ballinagore, county Westmeath, which was scheduled to be struck off the rolls as unnecessary three years ago, has been retained; whether he is aware that about one-third of the population are infirm and on the outdoor relief list; will he say how many policemen are now stationed there; what was the number of prosecutions for even minor offences for the last twenty years; will he compare the reports, private or otherwise, furnished before the barrack was scheduled to be struck off the rolls, with those made since; and whether, having regard to the small population of the district, he will consider the advisability of discontinuing a police force at Ballinagore, considering that the village is not three statute miles from Kilbeggan and about four miles from the following stations, which surround it in a circle: Castletown Geoghegan, Stoneyford, and Tyrrellspass.

(*Answered by Mr. Bryce.*) The Inspector-General informs me that it was decided two years ago to abolish the police station at Ballinagore, but, owing to the existence of certain disturbing elements in the locality, it was considered desirable to postpone the abolition for a time. Sixteen persons out of a population of 933 are in receipt of outdoor relief. Four policemen are stationed at Ballinagore, During the past twenty years 678 prosecutions for minor offences have taken place in the district. The question of abolishing the station at Balinagore is primarily one for the consideration of the police authorities, who are responsible for the proper policing of the district; and the Inspector General informs me that he will renew his proposal to abolish the station as soon as the state of the district warrants the adoption of that course.

Irish Land Purchase Return.

MR. T. W. RUSSELL (Tyrone, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is prepared to furnish a return substantially similar to those issued under the Purchase of Land Acts, 1885 to 1896, setting out the proceedings under the Act of 1903, showing the names of vendors and purchasers, purchase price for each holding, number of years' purchase of each holding, percentage of reduction on rent in each case, amount of bonus paid to each vendor, and the total for each estate.

(*Answered by Mr. Bryce.*) I beg to refer the hon. Member to the monthly Returns presented to Parliament of advances made under the Irish Land Act, 1903, in which full particulars of every advance made to purchasers are set forth. The form of these Returns was arranged by the Irish Government, the Treasury, and the Land Commission, and it is substantially the same as the form of the Returns issued under the Purchase Act of 1891. The amount of the bonus which may be paid in respect of the purchase money of an estate is not included in these Returns, because the question of the amount of the bonus is not determined by the Judicial Commissioner or the Land Judge until after the distribution of the purchase money.

Letterkenny Railway.

MR. HUGH LAW (Donegal, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received any complaints with regard to the treatment of passengers on the Letterkenny Railway on the 16th instant, and in particular as to delays, overcrowding, and failure to provide light in the carriages; and, if so, whether the Irish Government or the Board of Works will take steps to prevent a recurrence of the matters complained of.

(*Answered by Mr. Runciman.*) I learn that the Board of Works received information that delays to passenger trains were caused on the 16th ultimo by the derailment of a carriage at Cashelnagore which blocked the Burtonport line, and that a local train which was despatched from Letterkenny to Londonderry at 7.52 p.m. in place of one of the blocked trains was unprovided with lights. The Board immediately brought the circumstances to the notice of the company, and asked for an explanation. I understand that correspondence is still proceeding.

QUESTIONS IN THE HOUSE.

Jam for the Navy.

MR. BOWERMAN (Deptford): I beg to ask the Secretary to the Admiralty whether the jam which has recently had to be rejected was made up in solderless tins; whether he is aware that three carpenters have recently been employed constantly in the victualling yard at Deptford repacking tins in new cases owing to their leakage; and whether it is intended to permit the continued use of solderless tins for jams and other forms of preserved food.

Notice had also been given of the following Question:

MR. BOWERMAN: To ask the Secretary to the Admiralty whether he will state the name of the contractor who supplied 269,000 lbs. of jam which were rejected in August last; whether any further quantities, and, if so, how much, have since had to be rejected; and whether the contracting firms supplying the jams are still on the Admiralty list.

THE CIVIL LORD OF THE ADMIRALTY (Mr. LAMBERT, Devonshire, South Molton): Perhaps the hon. Member will allow me to answer the two Questions at the same time. The jam in question was not part of a new delivery, but gooseberry jam which had been a considerable time in store. Some tins of this jam were examined in July last and samples were then submitted to the Government Laboratory, and also to the Medical Officer of Health of the City of London. All the reports show that the jam is in sound condition and fit for food. In consequence, however, of the recent reduction of the reserves it may be necessary to sell what is now surplus stock. There have been no recent rejections of contractors' deliveries. The firms who supplied this jam are still on the Admiralty list, and as no discredit whatever attaches to them the publication of their names is likely to create a false impression. As regards the second Question, the bulk of this jam was in solderless tins, but the doubt raised as to its condition was not due to any leakage, which is particularly rare in the case of solderless tins. From time to time jam has had to be repacked at Deptford before shipment, but where this has been due to leakage the tins which have leaked have always been soldered tins. No reason is therefore seen for prohibiting the use of solderless tins in future supplies.

Condiments for the Navy.

MR. BOWERMAN: I beg to ask the Secretary to the Admiralty what quantities of mustard, pepper, flour, and oatmeal have been contracted for with private firms; whether he is aware that, during the past few years, the Government have discontinued the manufacture and preparation of mustard, pepper, flour, and oatmeal at Deptford; whether the steam cooperage is practically idle; and whether it is intended to return to the former practice of having these orders supplied from Government establishments.

MR. LAMBERT: The quantities contracted for since the commencement of the current financial year are as follows—mustard, 40,000 lbs.; pepper, 30,000 lbs.; flour, 2,700,000 lbs.; oatmeal, 35,000 lbs. The manufacture of mustard and pepper in the victualling yards was discontinued in 1896–7, and that of flour and oatmeal in 1903–4. The steam cooperage was discontinued in 1898-9. Modern naval conditions having rendered possible the adoption of cheaper forms of packages, the use of the old service casks has been much reduced, and is altogether too small to enable a steam cooperage to be worked economically. There is no intention of reversing these decisions, as to do so would only mean extra expense.

Chocolate for the Navy.

MR. BOWERMAN: I beg to ask the Secretary to the Admiralty what contracts for the supply of chocolate to the Navy are now running, and with what firms; whether any quantities of chocolate supplied to the Naval Yard at Deptford have had to be returned as unfit for use; and whether it is intended in future to have the chocolate made in the Government chocolate mill at Deptford, which is only now employed about one-twelfth of its time or capacity.

MR. LAMBERT: One contract for 200,000 lbs. of chocolate was placed this year, but it is not considered desirable to state the name of the firm. A considerable quantity (81,000 lbs.) has been rejected under the contract, the failure being attributed to the unusually hot weather which occurred this year while the manufacture was in progress, and which prevented the chocolate from cooling properly. There is no reason to doubt that the firm will be able to make satisfactory deliveries now that the cooler weather has set in. It is intended to continue, as at present, to manufacture the bulk of the chocolate for the Navy at Deptford Victualling Yard. The small quantity obtained annually from contractors is with the object of keeping the trade in touch with Admiralty requirements, so that in a time of emergency the Admiralty output could be supplemented without delay.

MR. KEIR HARDIE (Merthyr Tydvil): Is the statement in the last paragraph of the Question correct?

MR. LAMBERT: It may be the case.

Repairs to Turbine Machinery on Foreign Stations.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary to the Admiralty what is the result of the Admiralty's consideration as to the provision of artisans and machinery for carrying out repairs to turbines on foreign stations.

MR. LAMBERT: Preparations are being made which will enable the foreign yards to deal with repairs to turbine machinery when the necessity arises.

The Coastguard.

*MR. COCHRANE (Ayrshire, N.): On behalf of the right hon. Gentleman the Member for West Croydon, I beg to ask the Secretary to the Admiralty whether it is intended to abolish or reduce the coastguard.

MR. LAMBERT: I must refer the right hon. Gentleman to the reply given by my right hon. friend the Secretary to the Admiralty to a Question asked by the hon. Member for Orkney and Shetland on 21st November.†

*MR. COCHRANE: Is this reduction part of the general naval policy of the Government, and is it to be carried out step by step?

MR. LAMBERT: The hon. Gentleman will find a full Answer in the replies of my right hon. friend.

MAJOR SEELY (Liverpool, Abercromby): May I ask whether the Admiralty, in deciding this question, will bear in mind the large part played by the coastguard in life-saving at sea? Many of our lifeboat crews depend on them for notification of wrecks.

MR. LAMBERT: I am sure any suggestion from my hon. friend will be carefully considered by the Admiralty.

LORD BALCARRES (Lancashire, Chorley): Have any orders connected with the reduction yet been issued?

MR. LAMBERT: No, Sir.

Special Reserve of the Navy.

MR. BEAUCHAMP (Suffolk, Lowestoft): I beg to ask the Secretary to the Admiralty whether it is intended to place the battleships of the "Royal Sovereign" class in special reserve.

MR. LAMBERT: I am not in a position at the present time to give any information, as the scheme for the rearrangement of the ships in commission in reserve is still in process of development.

Channel Fleet—Repairs.

MR. BEAUCHAMP: I beg to ask the Secretary to the Admiralty how many ships belonging to the Channel Fleet were awaiting repairs or undergoing refit on 15th November.

MR. LAMBERT: There were no ships of the Channel Fleet awaiting repairs at the dockyards on the 15th November; three were in hand undergoing repairs and refit, two of these being battleships and one a third class cruiser.

H.M.S. "Dominion."

MR. IDRIS (Flint Boroughs): I beg to ask the Secretary to the Admiralty what is the extent of the injuries to H.M.S. "Dominion," occasioned by her running aground in Canada; and how long it will take to repair her.

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† See (4) *Debates*, clxv., 813–4.

Mr. LAMBERT: The bottom of the "Dominion" was more or less damaged for a length of about 280 feet. She will be temporarily repaired at Bermuda, and upon her return to Chatham Yard in February next it is anticipated she may be in hand for three or four months to make good the damage, but this estimate depends on the further examination on arrival at Chatham Dockyard.

Mr. IDRIS: I beg to ask the Secretary to the Admiralty whether an inquiry has been held as to the cause of the running aground of the battleship "Dominion" in Canada; if no inquiry has been held, what is the reason; and is it intended to hold an inquiry.

Mr. LAMBERT: No inquiry has yet been held in the absence of a senior naval officer, which is due to the fact that the "Dominion" was employed at the time on detached service, and has since been detained at Bermuda for temporary repairs. An inquiry will be held when the ship arrives in England.

Disturbance at Portsmouth.

Sir GILBERT PARKER (Gravesend): I beg to ask the Secretary to the Admiralty if he will state, concerning the three stokers lately sentenced to penal servitude, what were their ages on enlistment; when did each enlist: has each served afloat, and, if so, for how long; what serious entries were against each in the defaulter sheets before the trial; and in what class was each in regard to leave.

Mr. LAMBERT: Only one of the stokers tried by court-martial as a result of the recent disturbance at Portsmouth has been sentenced to penal servitude. This man, Edward Moody, entered the Navy in March, 1905, at the age of twenty-two. He served afloat for six months in the "Majestic." In July, 1905, he was sentenced to five days cells for leave breaking. In the same month he deserted and remained in a state of desertion for seven weeks. On being recovered he was sentenced to twenty-eight days hard labour, and two days after he had completed this sentence he received fourteen days cell punishment for breaking out. A month later he received a further fourteen days cells for a similar offence. His character was "indifferent," and he was in the second class for leave.

Publicity of Courts-Martial.

Mr. SWIFT MACNEILL (Donegal, S.) asked whether in the trial of Lieutenant Collard by court-martial, the same facilities would be given for publication of the proceedings as were given on the trial of the stokers.

Mr. LAMBERT replied that every court-martial was open to the public. Precisely the same facilities would be given whether the trial were held upon an officer or a man of the Navy.

Chocolate Manufacture at Deptford.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary to the Admiralty whether he is aware that there is no practical and experienced confectioner in charge of the Chocolate Department at Deptford; and whether he will consider the advisability of appointing some such person.

Mr. LAMBERT: As stated in the reply to a former Question by the hon. Member on the 26th November, † the manufacture of chocolate at Deptford is in charge of practical men. Trained confectioners are not required for this product which is not confectionery chocolate.

Mr. T. F. RICHARDS: But my Question is, is there a practical confectioner in charge of the Department?

Mr. LAMBERT: I have answered that. The work is done by practical men as I have said.

Mr. T. F. RICHARDS: No, Sir. I put this Question down on the invitation of the Secretary of the Admiralty, and I ought to have an Answer I think. The real fact is that the head of the Department is a resident engineer.

Field Force Canteens, Profits in South Africa.

Colonel HERBERT (Monmouthshire, S.): I beg to ask the Secretary of State for War whether it was reported to the War Office in December 1902 that the profits realised by the field force canteens in South Africa amounted to £700,000; whether the Report of General Lyttelton showed that £146,569 had been expended for the benefit of officers, non-commissioned officers, and men, and that the only balance credit consisted of stock valued at £103,528; whether any steps have been taken to fix the responsibility for a deficit of £400,000 which should have been available for distribution amongst those who dealt with the canteens; and whether any part of that apparent deficit has been applied to other purposes than such distribution, and by whose authority.

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† See (4) *Debates*, clxv., 1223–4.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): As regards the five parts of this Question the Answers are as follows:—(1) No such report was made. The stock in hand of the field force canteens on September 30th, 1902, was at one time valued at the cost price of £722,800, and it is to this that the hon. Member presumably refers. No such figure represented profit. The value of this stock was subsequently found to be, from various causes, very much depreciated, and there were, of course, liabilities to be set against it. (2) Yes, £146,569 is reported to have been so expended. (3) Yes, in April, 1904, the balance credit of the canteens was reported to consist of stock of the nominal value of £103,528. (4) There is no doubt that the profits of the field force canteens were diminished, partly from unavoidable causes and partly from injudicious or bad management; but the hon. Member probably over-estimates the extent of the loss sustained. For losses due to what were considered avoidable causes the officer who held the post of managing director between August, 1901, and September, 1902, was censured and informed that he could not hope for further advancement in the service; he has since retired from the Army. (5) There is a mistake in the hon. Member's figures which I have explained. As far as I am aware, all grants from the profits of the field force canteens have been made to the officers, non-commissioned officers, and men of the garrison; but I would here repeat what I said in answer to a previous Question on this subject—that these canteens are administered locally by the General Officer Commanding-in-Chief in South Africa, and the accounts audited by civil accountants appointed by him.

COLONEL HERBERT: Is the right hon. Gentleman aware that the statement at the beginning of my Question is taken from the evidence given by Mr. Brodrick before the War Stores Commission, and will he inform me whether any part of the deficit was used in the payment of losses incurred by the management of farms or other similar undertakings in South Africa?

MR. HALDANE: In answer to the first part of the question of my hon. and gallant friend, I can only say that a great deal of water has flowed under the bridge since Mr. Brodrick gave evidence, and the matter has been investigated more completely and thoroughly than it was ever investigated before. It is a mistake to say that £700,000 was lost. As regards the last part of the Question, I cannot answer that on the spur of the moment, but I will inquire if the hon. and gallant Gentleman wishes.

COLONEL HERBERT: I will put down another Question.

Service Pensions.

COLONEL HERBERT: I beg to ask the Secretary of State for War whether he will consider, in consultation with the Admiralty and with the Treasury, the possibility of remedying the condition of things under which a man who has given over twenty-four years service to his country, partly in the Army and partly in the Navy or Marines, is held to be ineligible for pension; and whether he will consider the advisability of so amending the regulations, and the instructions given to the Commissioners of Chelsea Hospital, as to preclude the recurrence of such a case.

MR. HALDANE: Steps have been taken to prevent the recurrence of the conditions which gave rise to these cases. The general question is not escaping attention.

Piershill Barracks, Edinburgh.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary of State for War what steps are to be taken to render Piershill

Barracks suitable for occupation by artillery, in view of the fact that they have been condemned as insanitary and unfit for occupation by cavalry.

Mr. HALDANE: Piershill Barracks are not, as they now stand, unsuitable for occupation by a small body of artillery. They were condemned as insanitary for a cavalry regiment on the ground of insufficiency of accommodation, defective structure, and the changed character of the surroundings. Money has already been spent in improving the drainage. A cavalry regiment has attached to it a larger number of officers and of women and children, as of men, than a brigade of artillery.

Mr. DALZIEL (Kirkcaldy Burghs): In view of the great interest of this matter to Scotland, will the right hon. Gentleman say whether his letter on this subject, published this morning, means that it is intended to continue to have cavalry in Scotland ?

Mr. HALDANE: We have every intention to continue cavalry in Scotland. As the hon. Member knows, cavalry are moved from time to time. It is a delusion that any cavalry regiment, the Scots Greys or any other regiment, has headquarters in Scotland. A large number of the Scots Greys are recruited in England and Ireland. The whole question is whether we can have a cavalry regiment in Scotland, and it reduces itself to this : I am asked to put down in the Estimates a large sum of money, without regard to the necessary requirements of the Army generally, for this particular local purpose. Well, I decline to do it.

Mr. DALZIEL said he did not mention the Scots Greys, nor did he ask about headquarters. He asked whether cavalry were to be kept in Scotland.

Mr. HALDANE said the hon. Gentleman could not have read his letter, in which he specifically said that it was their intention, as soon as public funds permitted, to have perhaps more cavalry in Scotland. The whole point was whether he was to be coerced into premature action.

Major ANSTRUTHER-GRAY asked whether it was not desirable that the recruiting for a Scottish regiment should be confined as far as possible to Scotland.

Mr. HALDANE said that raised an entirely different question. He was not proposing to alter the present method of recruiting cavalry regiments. He would be glad to see the regiments associated with Scotland by tradition and sentiment recruited as far as possible in Scotland, but there was no intention of changing the system.

Mr. DALZIEL asked whether paying deference to Scottish representations meant coercion.

Mr. HALDANE: No; but people come with local considerations and try to override considerations which affect the good of the Army in general, and in that sense local considerations are not the immediate considerations.

Mr. DALZIEL: Does that refer to Lord Rosebery ?

*Mr. COCHRANE asked whether Piershill Barracks were so insanitary that it would be impossible with some slight alteration to provide room for cavalry temporarily.

Mr. HALDANE said he was in close consultation with the Medical Director-General and other medical authorities of the Army, who assured him that the structure of these barracks was so old-fashioned and so bad that it was not possible to keep cavalry there, due regard being had to sanitary conditions. At present the rate of sickness was much above the average in any other cavalry regiment, and he did not feel justified in keeping cavalry there for the present.

Major ANSTRUTHER-GRAY: Are we to understand that as soon as funds permit a cavalry regiment will be quartered in Scotland ?

Mr. HALDANE: As soon as funds permit there will be accommodation provided for cavalry in Scotland, but I must be the judge when it is possible to provide those funds. I have said it is the intention as soon as possible to have not one, but probably two, cavalry regiments there. They are very useful for the purpose of training the Yeomanry, and, moreover, Scotland is an important part of the United Kingdom, and it is only right that cavalry should be stationed there. We are quite alive to that.

Artillery at Piershill Barracks.

Major ANSTRUTHER-GRAY: I beg to ask the Secretary of State for War how many horses and men will be quartered in Piershill Barracks when occupied by artillery.

Mr. HALDANE: As far as can be said at present, the numbers will be, approximately, 155 horses, and 335 men.

Royal Artillery Mess Kit.

Mr. HART-DAVIES (Hackney, N.): I beg to ask the Secretary of State for War whether his attention has been called to the unpopularity of the new mess kit of the Royal Artillery, now about to be introduced; whether he is aware that the new mess kit, though costing about two-thirds the cost of the old kit, is calculated to last only about a quarter of the time that the old kit has been found to last; and whether he will consider the advisability of reverting to the old kit, or, under any circumstances, ascertaining the views of officers of the Royal Artillery, especially of those of the junior ranks, before introducing compulsorily the new mess dress.

Mr. HALDANE: There is no intention of introducing a new mess uniform for the Royal Artillery. The existing pattern was introduced in 1902, and permission was given to those officers in possession of the previous pattern to wear it until January, 1907. The statement that the new kit only lasts about a quarter of the time the old one did is not understood, as the materials are identical.

Lancers and the Lance.

Mr. ASHLEY: I beg to ask the Secretary of State for War whether any decision has been arrived at with reference to permitting Lancer regiments to use the lance as a complement to their present service equipment.

Mr. HALDANE: It is not proposed to modify the instructions laid down in Army Order 39 of March, 1903, with regard to the use of the lance by Lancer regiments.

Defence of St. Helena.

Major ANSTRUTHER-GRAY: I beg to ask the Secretary of State for War whether he can inform the House what steps have been taken for the defence of St. Helena now that it has been denuded of its garrison, having in view that it is one of the stations for the all-British telegraph cable between Great Britain and her South African, Eastern, and Australian possessions.

Mr. HALDANE: It is inexpedient in the interests of Imperial defence to give this information, but the hon. and gallant Member may rest assured that the matter has not escaped the attention of my Department.

The Militia.

Mr. FIENNES (Oxfordshire, Banbury): I beg to ask the Secretary of State for War if he will state what is the full strength of a Militia battalion, and what is the strength of the permanent staff detailed thereto; the number and names of the battalions below 500 officers and men; and the strength of the permanent staffs detailed for service with each.

Mr. HALDANE: In the first part of the Question it is presumed that "full strength" means the establishment of a battalion. This varies in different battalions from 11 officers and 425 men to 33 officers and 1,273 men; the permanent staff varying from one officer and sixteen non-commissioned officers to two officers and forty non-commissioned officers. As regards actual strength, there were on the 1st ultimo 46 battalions below 500 officers and men. The names of these battalions, with their actual strength as well as that of the permanent staff in each case, are given in a list which I will circulate with the Votes.†

The National Gallery.

Mr. MOND (Chester): I beg to ask the Secretary of State for War whether, in view of the admitted danger caused to the National Gallery in case of fire by the recruiting station immediately at the back of the Gallery, and the promises already made for the removal of this building, he will give instructions to have this carried out without further delay.

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† See Col. 543.

MR. HALDANE: I do not admit that the proximity of the London recruiting depot is a cause of unusual danger to the National Gallery. I would point out that there are some shops distant from the west end of the Gallery about twenty-two feet only, whereas at the nearest point there is a space of 110 feet between the Gallery and the War Department buildings; the buildings which stood upon this intervening space were pulled down at the end of 1902. I notice that there is a fire brigade station at a short distance from the spot.

LORD BALCARRES: Was it not promised six or seven years ago that the land occupied by these barracks should be allotted to the extension of the two National Galleries?

MR. HALDANE: Some intermediate buildings were pulled down a short time ago and the space of 110 feet secured. If those responsible for the National Galleries will find the funds for a new recruiting office I shall not stand in the way of any change.

Reduction of Battalions.

SIR SAMUEL SCOTT (Marylebone, W.): I beg to ask the Secretary of State for War how many battalions of regular soldiers have actually been disbanded; what are the numbers of officers, non-commissioned officers, and men, respectively, who have been affected by the order; and what are the numbers of officers, non-commissioned officers, and men, respectively, of the disbanded battalions who have retired from the service, been absorbed in existing battalions, or joined the Reserve.

MR. HALDANE: 1. Seven of the ten battalions which it was decided to reduce have not existed as separate units since the 15th November last. Two battalions, now in South Africa, are in process of reduction, while the reduction of one battalion (the 3rd battalion, Coldstream Guards) has been postponed for the present. 2. The strength of the nine battalions on the 1st September last was: officers, 237; non-commissioned officers, 751; privates, 5,179. 3. The following return gives the information asked for:—

	Officers.	N.C.O's.	Privates.
Retired or discharged on completion of service, etc.	6	5	44
Transferred to remaining battalions of regiments	6	514	2,843
Transferred to other regiments or staff.	15	23	416
To Reserve	-	20	322
Deserted	-	-	25
	27	562	3,650

SIR SAMUEL SCOTT: I beg to ask the Secretary of State for War whether a bounty was offered to men of the disbanded battalions in order to induce them to join other battalions of the Regular Army; and, if so, what is the total amount of money paid in these bounties.

MR. HALDANE: Yes, Sir, bounties up to £10 have been offered to induce the men to join battalions of other regiments. The offer is still open, and so the total amount cannot yet be ascertained.

Ipswich Barrack Contract—Rates of Wages.

MR. J. WARD (Stoke-on-Trent): I beg to ask the Secretary of State for War whether his attention has been called to a volume of standard rates of wages in the kingdom, published by the Labour Department of the Board of Trade on 1st October, 1906, which on page 19 declares the rates of wages for the Ipswich district, as supplied by the National Federation of Master Builders, are 5d. and 5½d. per hour; and whether, in view of this statement upon the subject, he will take such action as may be necessary to compel the contractors at the Artillery Barracks, Ipswich, to pay such rates.

MR. HALDANE: My attention has been called to the statement of standard rates referred to, and it was partly in view of that statement that I have had a special inquiry made, as mentioned in my reply to the hon. Member on the 26th ultimo.[†] The result, however, of the investigation and of conference with the Board of Trade has been to show that varying rates of wages are at the present time current in the Ipswich district; and it does not appear that the contractors referred to, in paying the labourers 4½d. an hour, are infringing the clause of their contract requiring them to pay the rate current in the district. The result of the investigation made is to leave doubtful the Answer to the Question whether there is in point of fact a rate current in the district for competent workmen. I propose, therefore, to ask the Board of Trade to make an independent inquiry.

Case of Mr. Noreen.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Prime Minister what action, if any, His Majesty's Government propose to take with regard to the statements made by the Public Accounts Committee, and especially with regard to the case of the intelligence officer, Mr. Noreen, who defrauded the War Office by sending in a double claim for capturing cattle; and what action they propose to take with respect to Colonel Rickman, who certified the claim.

MR. HALDANE: The Reports of the Public Accounts Committee are now under consideration in the various public Departments concerned, and in each case such action as may be necessary will be taken in accordance with the invariable rule. I am investigating the circumstances under which the payments to Mr. Noreen were made. As will be seen from the correspondence printed in the appendix to the Appropriation Account for 1904–05, the case is by no means free from difficulty and even doubt. If, however, after weighing all the facts it appears to me that there is a reasonable prospect of legal proceedings producing any more satisfactory result than further considerable expenditure of public money I shall direct the military authorities in South Africa to take such action as the legal advisers of the Colonial Government may advise.

MR. ALDEN: Is the right hon. Gentleman satisfied that Colonel Rickman was justified in certifying the claim?

MR HALDANE: I have looked into the circumstances, and it is extremely difficult to tell whether he was justified or whether he was not. I am getting all the information I can with a view to placing it before the legal advisers in South Africa. I will tell my hon. friend privately the circumstances so far as I know them at the present time.

Malta.

MR. T. L. CORBETT (Down, N.): I beg to ask the Under-Secretary of State for the Colonies whether there has been any further correspondence between the Government and the Roman Catholic Bishop of Malta; and, if so, whether it will be laid upon the Table of the House.

*THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The Secretary of State has received two memorials from the Archbishop which will be presented to Parliament.

Tanjong Pagar Dock Arbitration.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies whether, with reference to the Tanjong Pagar Dock Company arbitration, any sums were paid to Lord St. Aldwyn for travelling expenses in addition to the fee of £5,750; and what fees and travelling expenses the other members of the Arbitration Court received.

*MR. CHURCHILL: Lord St. Aldwyn's fee included all disbursements, as did the fee (4,000 guineas) paid to Mr. Inglis, the arbitrator nominated by the Colonial Government. I understand that the company paid a fee of 6,500 guineas to Sir E. Boyle, the arbitrator nominated by them, of which £5,750 was allowed on taxation; I presume that this included disbursements.

MR. SWIFT MACNEILL: Was not the sum paid to Lord St. Aldwyn the exact capitalised value of the political pension he surrendered to the late Prime Minister?

[†] See (4) *Debates*, clxv., 1228-30.

*MR. CHURCHILL: I do not see how that has any connection with the matter.

MR. SWIFT MACNEILL: We do.

*MR. CHURCHILL: The appointment necessitated Lord St. Aldwyn's going abroad.

MR. LYTTELTON (St. George's, Hanover Square): May I point out that Lord St. Aldwyn was appointed umpire on the nomination of the arbitrator appointed by the company, which was accepted by the Government arbitrator?

*MR. CHURCHILL: I agree. Lord St. Aldwyn had to travel almost the circumference of the globe, and he was away a long period. Expensive as this arbitration has undoubtedly been, I am not at all prepared to say that the expenses paid to him are the least justifiable part.

MR. WEDGWOOD: I beg to ask the Under-Secretary of State for the Colonies, with reference to the cost of the Tanjong Pagar Dock arbitration, how many of the witnesses and counsel heard went out from England and how many were resident in Singapore; also how long the arbitration and witnesses were absent from England, and how many sittings they held in Singapore.

*MR. CHURCHILL: The Colonial Government were represented by one counsel from England and two resident in the Straits; the company by two from England and two local counsel. Of the Government witnesses, four went from England and twelve were resident. Four of the company's witnesses went from England and eight were resident. I am unable to state how long the arbitrators and witnesses were absent from this country; the latter left England at different dates according to the time required for the preparation of their evidence. The Court held ten sittings in Singapore.

The Zulu Rebellion and its Results.

MR. ALDEN: I beg to ask the Under-Secretary of State for the Colonies whether he is aware that distress exists in the districts affected by the recent Zulu rebellion, more especially in the country between the Tugela and Tongaat Rivers; whether the authorities have sent relief, and to what extent, to such districts; and whether His Majesty's Government will urge upon the authorities the need for further assistance.

*MR. CHURCHILL: His Majesty's Government have reason to believe that the Government of Natal are taking, and will take, all necessary measures for the relief of distress among the sufferers by the late rebellion and its repression.

Mabira Forest Concession.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Under-Secretary of State for the Colonies whether the Mabira Forest Concession in any way nullifies Sir Harry Johnston's assurance to the natives that they would not be dispossessed of their lands and property; and what measures have been taken to prevent the spread of sleeping sickness, in view of the fact that a considerable area of the concession is within the sphere of influence of the tsetse.

MR. CHURCHILL: The rights of natives guaranteed by the Uganda Agreement are fully safeguarded by the provisions of the lease to the company, a copy of which can be inspected at the Colonial Office. The Secretary of State has not been informed that sleeping sickness exists in the forest; but we have not yet succeeded in discovering effective precautions against it.

Gambling in the Federated Malay States.

MR. LAIDLAW (Renfrew, E.): I beg to ask the Under-Secretary of State for the Colonies if he will give the reasons why the immediate abolition of licensed gambling in the Federated Malay States is impracticable; and if he will also state within what period he expects this evil to be finally abolished.

The following Questions also appeared on the Paper:—

MR. LAIDLAW: To ask the Under-Secretary of State for the Colonies whether he is aware that the Government of the Federated Malay States prohibit Malays, Tamils, and Englishmen from frequenting the gambling dens licensed by the aforesaid Government; and if he will state the reasons why the Chinese population is not placed under the same restrictions.

MR. LAIDLAW: To ask the Under-Secretary of State for the Colonies if he is aware of the fact that the revenue of the Federated Malay States is largely in excess of expenditure, and that there is now an accumulated fund of $25,000,000 in the hands of the Government; and that no financial necessity exists for the $3,000,000 per annum derived from gambling licences.

MR. CHURCHILL: I will answer the hon. Member's three Questions together. The reason why the Chinese alone are allowed to gamble is that in the case of Chinese gambling is a national habit to an extent unknown among the other races inhabiting the Peninsula. Total prohibition is regarded by the best qualified judges as impracticable at present in the case of Chinese, and the only alternative is to regulate the practice of gambling so that it may do as little harm as possible. In deciding that the immediate abolition of licensed gambling is impracticable, the Secretary of State and the Government of the Federated Malay States have not been governed by financial considerations. They are, however, satisfied that if gambling were at once prohibited the prohibition would be ineffectual. The licensed houses would be abolished, but their place would be taken by secret gambling hells, where gambling would be carried on without any restrictions now imposed, and in circumstances likely to lead to frequent quarrels and disturbances of the peace. Even in the small area of the Straits Settlements, where gambling is prohibited by law, it has been found to be impossible entirely to prevent the existence of such establishments, and the greater area and more scattered population of the Federated Malay States would render the task much more difficult there than it is in the neighbouring colony. There is also a practical certainty that the issue of a prohibition, which could not be made effective, would lead to the corruption of the native police forces by bribery and blackmail. In these circumstances, the Secretary of State considers it better to proceed slowly, and to endeavour to accustom the Chinese population by degrees to the idea of prohibition. As regards the period within which it may be possible to effect a total abolition of licensed gambling, I would refer the hon. Member to the Answer which I gave in this House on 28th November to the hon. Member for Hoxton.† I can suggest no exact date, but I can assure my hon. friend that His Majesty's Government are no less anxious than he is to put an end to the existing system as soon as it is possible to do so, without causing greater evils than those which it is desired to remove.

British Indians in the Transvaal.

MR. HAROLD COX (Preston): I beg to ask the Under-Secretary of State for the Colonies whether His Majesty's Government have yet arrived at any decision with regard to the new Transvaal Ordinance which proposes to inflict disabilities upon His Majesty's Indian subjects resident in the Transvaal.

*MR. CHURCHILL: The Secretary of State has informed the High Commissioner that he is not able, without further consideration, to advise His Majesty that the Ordinance referred to should be brought into operation, and it will therefore not be further proceeded with at present.

MR. SWIFT MACNEILL: I beg to ask the Under-Secretary of State for the Colonies whether the report of the proceedings of the deputation which waited on the Secretary of State on behalf of British Indians in the Transvaal on Thursday, 8th November, and appeared in *The Times* newspaper on the next day, was communicated to *The Times* by any official of the Colonial Office; and, if so, seeing that no reporters of the Press were allowed to be present, and that the members of the deputation were bound to secrecy, why this report was communicated to *The Times* and not to those organs of the Press which are supporters of His Majesty's Government.

MR. CHURCHILL: The report was not communicated to *The Times* by any official of the Colonial Office.

SIR H. COTTON (Nottingham, E.): May I ask whether at the conference

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† See col. 57-8.

Lord Elgin said it was at his wish that no reporters were present. How in those circumstances did a verbatim report appear in *The Times* the next morning ?

MR. CHURCHILL: I can only say that no representatives of the Press in the ordinary sense—no reporters—were present, and that no report of the proceedings was supplied by the Colonial Office. The hon. Member is as able as I am to find out how it was the report appeared.

SIR E. CARSON (Dublin University): Was any report taken at the time for the Colonial Office ?

MR. CHURCHILL: I do not know; I do not think so.

SIR H. COTTON: Were there not two shorthand reporters taking a verbatim report ?

MR. CHURCHILL: I understand from the Question the hon. Member has put to me that it was at Lord Elgin's desire no reporters were present.

SIR H. COTTON: Shorthand writers.

MR. CHURCHILL: If any member of the deputation or anybody else present took shorthand notes, that is another matter.

SIR H. COTTON: Were not official shorthand writers there ?

MR. CHURCHILL: I do not know, I was not present; but if so there will be a record kept at the office; but the report, however collected, was not communicated from the Colonial Office.

MR. HAROLD COX: May I ask was there not a similar incident in relation to a deputation to the India Office ?

MR. MORLEY (Montrose Burghs): A report appeared, but it was prepared and issued without the authority or knowledge of the India Office. We had, of course, our own official reporter and a report for our own use.

Witwatersrand Mines.

MR. FIENNES: I beg to ask the Under-Secretary of State for the Colonies whether he can state what labour-saving appliances have been added to the mines of the Witwatersrand since 1st January, 1906; and, if any have been acquired, what number of unskilled labourers has thus been saved.

MR. CHURCHILL: The Secretary of State does not possess the information asked for, but Lord Selborne will be requested to send a full report.

Portuguese Labour.

SIR GILBERT PARKER asked what were the objections urged by the Portuguese Government against granting facilities for recruiting native labour in Portuguese East Africa to the Robinson group of mines, and would the correspondence between the mine group and Lord Selborne be laid.

MR. CHURCHILL said the time for a statement with regard to recruitment of natives in Portuguese East Africa would not have arrived until the negotiations with the Portugese Government were concluded. No statement could be usefully made till then.

SIR GILBERT PARKER: Cannot you answer the first part of the Question ?

MR. CHURCHILL: No, Sir. I said that no part of the correspondence will at present be laid.

MR. KEIR HARDIE: Is the correspondence referred to in the hands of the Government ?

MR. CHURCHILL replied in the affirmative.

MR. LYTTELTON: Is the situation at present that one capitalist in South Africa is empowered to recruit in Portuguese territory when no other individual is so empowered ?

MR. CHURCHILL: The Secretary of State has made a recent statement in the other House on the question, to which I would draw the right hon. Gentleman's attention.

Lagos Improvements—The Houssa Eviction.

MR. KEIR HARDIE: I beg to ask the Secretary for the Colonies whether he has communicated as promised with the Governor of Lagos concerning the proposed eviction of the veteran soldiers of the Houssa Tribe from houses built at their own expense upon land granted to them by the Government, and with what result; whether the land upon which the houses were built belongs to the Government, and, if not, to whom does it belong; whether, in the case of those who are evicted, full compensation will be granted; whether it is proposed to destroy the mosque belonging to these people, and that the only compensation offered is a grant of £100.

MR. CHURCHILL: The Secretary of State has informed the Governor of Lagos that he relies upon him to prevent feeling of hardship or injustice, and to give liberal interpretation of provisions made for compensation in the case of poor persons affected by these public improvements, and the Governor has replied that Lord Elgin's wishes will be most carefully followed. The land belongs to the Government. Compensation is being granted in accordance with the terms of the Ordinance, which are reported to the Secretary of State to be adequate. But if it should appear that further provision is required to establish these people in suitable homes—means will have to be found for doing so. The mosque has been valued at £100, but the question whether it should be removed or not was still under consideration when the Governor last wrote.

Immigration and Emigration—Suggested International Conference.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Secretary of State for Foreign Affairs, whether he has received any proposals for holding an International Conference to consider immigration and emigration with a view to their regulation and control.

THE PARLIAMENTARY SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury, for Sir Edward Grey): No such proposal has been received.

Chinese Customs.

MR. ALDEN: I beg to ask the Secretary of State for Foreign Affairs if he can give the House any information with regard to the circular recently issued by Sir Robert Hart on the question of the new Chinese Customs Board; and whether he would cause a copy of this circular to be placed in the Library for the information of Members.

MR. RUNCIMAN: A copy of the circular will be presented to Parliament.

Karajovo Massacre.

MR. WEDGWOOD: I beg to ask the Secretary of State for Foreign Affairs whether, at the recent massacre at Karajovo, many of the assailants wore Turkish uniforms; that, though within sight of the flames of the burning village, the Turkish troops in the neighbourhood offered no assistance to its peaceful inhabitants; and, if the Answer to these Questions be in the affirmative, whether His Majesty's Government will reconsider their decision to consent to an increase in the Customs duties levied upon British imports into Turkey for the purpose of defraying the cost of the Turkish troops in Macedonia.

MR. RUNCIMAN: It is stated in the report, which we have received, that some of the assailants disguised themselves as Turkish soldiers in order not to arouse the suspicions of the villagers; and that the Turkish troops, who were stationed at neighbouring villages, saw and heard nothing at the time of the massacre. There is no connection between these Questions and the proposed increase in the Turkish Customs duties. My right hon. friend cannot make any statement about the latter, which is still under consideration. But if it be agreed to, my right hon. friend thinks the hon. Member will see when Papers are published that the last line of his Question is not a fair statement of the main purposes which the Powers have had in view.

MR. WEDGWOOD: Can the right hon. Gentleman say when the Papers are likely to be laid?

MR. RUNCIMAN: I am afraid I cannot make any statement at present.

Page's Estate Case.

MR. J. WARD: I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to an escheat in what is known as the Page's Estate case; and whether, in view of the repeated allegations of official connivance in the loss of this property to the Crown, he will consider the advisability of setting the whole question at rest once and for all by appointing a small Committee to go fully into the subject and report upon the same.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E.): The circumstances of this case, in which it is alleged that there has been an escheat of certain real estate to the Crown were, in or about the year 1870 and have been repeatedly since that date, brought to the notice of the Treasury, with the result that that Department, acting under legal advice, has always, I have no doubt on sufficient grounds, declined to take any action. In view, however, of the interest which appears to be taken in the matter, I have spoken to the Attorney-General, and we propose to examine the documents ourselves.

Inland Revenue Officials at Somerset House.

MR. SEARS (Cheltenham): I beg to ask Mr. Chancellor of the Exchequer whether it is necessary to maintain in the Inland Revenue Department at Somerset House two sets of highly-paid officials to advise the Board, one set with trained and practical experience fitting them to deal with all departmental questions, the other set a clerical staff possessing only paper experience obtained by reading the reports and opinions of the practical men; is he aware that the Board, who are appointed without practical experience, are surrounded by the clerical staff and do not come into direct touch with the practical men, although they are located in the same building; that the clerical staff act as carriers of the reports and papers prepared by the practical officials, who must be more competent to explain their own reports and to advise the Board; will he consider whether it would be conducive to greater efficiency and simplify and cheapen the work of the Department, and generally be to the advantage of the Inland Revenue service, for the Board to be in direct touch with their practical advisers, and make such advisers the real heads of the Department.

MR. ASQUITH: The Board of Inland Revenue are unable to admit the correctness of the suggestions conveyed by this Question. In their opinion, which is based on long experience, the present organisation of the office would not be improved in regard either to efficiency or simplicity by the changes suggested. The matter is one which cannot be adequately dealt with in answer to a Question.

MR. SEARS: Was this reply furnished to the right hon. Gentleman by officials who would be detrimentally affected by a reform of the service?

MR. ASQUITH: The reply is given on my own authority, and I have satisfied myself as to the accuracy of it.

Surveyors of Taxes and Repayment Claims.

MR. SEARS: I beg to ask Mr. Chancellor of the Exchequer if he is aware that Surveyors of Taxes, as a rule, certify repayment claims under Section 165 of the Act of 1842, and thus supersede in their functions the Commissioners for general purposes, who alone are responsible for this duty under the section, and for transmitting the claims to the Commissioners for general purposes, and not to the Board of Inland Revenue as such; will he give the authority on which this Board is said to waive in certain cases the certificate of the General Commissioners prescribed by Section 165, seeing that there is no power vested in them for such action under the section; and whether he proposes to amend the law so as to legalise a practice which the Board says saves delay and annoyance to claimants.

MR. ASQUITH: Surveyors of Taxes examine, and verify the facts relating to, claims to re-payment, and such examination and verification (which they would have to undertake in any case) is accepted as sufficient, without the formal certificate of the General Commissioners, under an administrative order of the Board of Inland Revenue, dated 24th February,

1887. I do not accept the suggestion that the General Commissioners are "superseded" by this procedure, nor do I think that objection need be taken to any slight deviation which it may involve from the letter of the law, since an experience of nearly twenty years has shown that it results in advantage to the taxpayer without danger of loss to the revenue. I will consider whether any, and what legislation is needed on the subject.

London Street Ambulances.

SIR W. J. COLLINS (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department what action he intends to take with a view to provide a better ambulance service for street accidents in London.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): I am about to appoint a small committee to inquire into the ambulance arrangements of the metropolis, and my hon. friend has, I am glad to say, consented to give me his assistance in the inquiry by becoming a member of the committee.

Repatriation of the German Gipsies.

MR. FELL (Great Yarmouth): I beg to ask the Secretary of State for the Home Department if he has arranged for the deportation of the large band of gipsies who have caused so much expense and trouble in the country; if so, who is going to pay the expenses of such deportation; and whether he has given or will give instructions under the Aliens Act to prohibit the landing of foreign gipsies in the future at any of our seaports.

*MR. GLADSTONE: At my request the Society of Friends of Foreigners in Distress by willing and effective action, which I think should be generally appreciated, arranged last week for the repatriation of the two large bands of gipsies which have been wandering about the country for some time past. No public money has been provided, but the matter is under consideration. With regard to the last part of the Question, I have no power under the Act to prohibit the landing of foreign gipsies as such at any port in the United Kingdom.

MR. FELL: Judging by their habits is not the right hon. Gentleman inclined to think that these gipsies are undesirable aliens?

*MR. GLADSTONE: That is a question which has to be considered on its merits by the Immigration Boards.

Police Arrests.

MR. FIENNES: I beg to ask the Secretary of State for the Home Department whether any and what instructions are given to a police constable to obtain the names and addresses of bystanders who witness the arrest of a person in a public place for an offence there committed.

MR. GLADSTONE: No general instructions could usefully be given to police constables on the subject; on the one hand a constable's attention would in most cases be fully taken up in attending to his prisoner, while, on the other hand, even if he had an opportunity of asking bystanders for their names and and addresses, the bystanders would be under no obligation to give them.

MR. FIENNES: But what facilities are accorded to a person arrested in the streets to get together his witnesses?

MR. GLADSTONE: I should like time to answer that Question. I think that full facilities should as far as possible be given.

Marriages with Foreigners.

MR. CATHCART WASON: I beg to ask the Secretary of State for the Home Department if, in view of the suffering of our countrywomen who may be led into marriage with foreigners and may discover that such marriage is farcical, he will consider the necessity of compelling all ministers of religion, or at any rate all registrars, to have some knowledge of the marriage laws of foreign countries, and to inform our countrywomen of the danger they may incur.

MR. GLADSTONE: This matter has engaged attention for some time past, and has, I am glad to say, been dealt with this session by the passing of the Marriage with Foreigners Act, which received the Royal Assent on the 29th November. The provisions of Section 2 of that Act will soon, I hope, apply to marriages contracted by British subjects with subjects of several of the principal European countries. Moreover, instructions have already been given by the Registrar-General that in every case where a British subject proposes to contract a civil marriage with a foreigner a warning of the possible dangers of such a marriage must be given.

Pewsey Medical Officer.

MR. ROGERS (Wiltshire, Devizes): I beg to ask the President of the Local Government Board whether the Board received a letter from the Pewsey rural district council respecting their medical officer of health, and asking for an interview, dated 11th December 1905; will he explain why this letter remained unanswered until 31st August 1906, an interval of over eight months; whether the Local Government Board received another letter on the same subject from the rural district council, dated 3rd September 1906, which letter has not yet been answered after an interval of three months; whether the Board will reconsider its refusal to receive a deputation on the subject of the medical officer's salary; and, if so, when the rural district council may expect to receive any communication from the Board.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): This particular case stood over, as some general questions affecting the subject to which it related were under consideration. The Local Government Board have, however, consented to the interview desired, and it is proposed that it should take place this week.

Vaccination Acts.

*SIR W. J. COLLINS: I beg to ask the President of the Local Government Board whether he is now prepared to state what improvements he proposes to make in the administration of the Vaccination Acts in the directions indicated by him on 25th April.

MR. JOHN BURNS: As I lately stated, this matter is receiving my attention, but I am not at present in a position to make a statement with regard to it.

SIR W. J. COLLINS: Will the right hon. Gentleman consider the propriety of issuing a new order with a view to secure that public control and public expenditure go together in this department of their public service?

MR. JOHN BURNS: The question of issuing a new order securing public control over the expenditure is engaging my attention.

Wages.

MR. BONAR LAW (Camberwell, Dulwich): I beg to ask the President of the Board of Trade what is the aggregate fall in the amount paid in weekly wages since the 1st May, 1903, in the cases reported to the Board of Trade and regularly published by that Department.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I am having printed with the Votes a statement showing for each of the last ten years and for the first ten months of the present year the net increase or decrease of weekly wages reported to the Board of Trade. As regards the particular period named by the hon. Member I find that in the thirty-two months from May 1903 to the end of 1905 there was a net decrease of £78,000. On the other hand, in the first ten months of the present year there has been a net increase of £43,000 and wages are still rising. During the last ten years there has been a net increase of £209,000 in weekly wages.

The following is the statement referred to in above Question:—

In reply to the hon. Member's Question the following statement shows the computed net increase or decrease per week in the wages of those affected by changes in rates of wages in each of the years 1896 to 1905, and for the first ten months of 1906.

Year.	Computed amount of change of weekly wages so far as recorded.	
	Net increase per week.	Net decrease per week.
	£	£
1896	26,519	—
1897	31,507	—
1898	80,713	—
1899	90,314	—
1900	208,590	—
1901	—	76,587
1902	—	72,595
1903	—	38,327
1904	—	39,230
1905	—	2,169
1906 (First ten months)	43,037	—
Total	480,680	228,908

MR. BONAR LAW asked whether the right hon. Gentleman's reply did not mean that wages were now being paid at a lower rate than in 1903 to the extent of £3,000,000 or £4,000,000 a year.

MR. LLOYD-GEORGE: £35,000 a week.

MR. CHIOZZA MONEY (Paddington, N.) asked whether the right hon. Gentleman was aware that during these years of falling wages the profits assessed to income-tax were always rising.

MR. LLOYD-GEORGE: Yes, Sir, that is so. There is a further fact. The hon. Gentleman opposite has selected a period of falling trade up to the beginning of the present year; whereas the previous years were years of comparative prosperity.

MR. BONAR LAW asked whether the right hon. Gentleman had not frequently stated that since that date there had been a distinct improvement all round in trade.

MR. LLOYD-GEORGE: Yes, that is so.

MR. BONAR LAW: Then what about wages?

MR. BOWLES (Lambeth, Norwood) asked whether this decrease in the aggregate amount of wages paid was accompanied by a large decrease in the number of hours worked.

MR. LLOYD-GEORGE: Yes, that is so.

Unemployment.

MR. BONAR LAW: I beg to ask the President of the Board of Trade what has been the average percentage of unemployment of members of trade unions making Returns since the 1st May, 1903; what was the average percentage for the five years previous to that date; and what has been the average percentage since the 1st May, 1903, of unemployment among members of German trade unions as published by the German Labour Department.

MR. LLOYD-GEORGE: The periods named by the hon. Member are so arbitrarily selected that merely to give the figures he asks would give a misleading impression of the course of employment. I am therefore having printed with the Votes the average percentage of unemployment returned by trade unions in each month since the beginning of the period to which the Question refers. From May, 1903, to the end of 1905 (a period of trade depression) the average percentage was 5·8. In the first ten months of 1906 it has fallen to 3·9. During the five years 1898–1902 (which was mostly a period of active trade) the percentage was 3·3. The German Returns do not go back before June, 1903, but the years 1901 and 1902 are known to have been years of great depression in Germany. Since June, 1903, the mean percentage published by the German Labour Department has been 1·7. As stated in the Memorandum dealing with unemployment in the second Fiscal Volume published by the late Government this figure is not comparable with the percentages returned by trade unions in the United Kingdom, as the basis of the official statistics differs in the two countries.

The following is the statement referred to in above Question:—

In reply to the hon. Member's Question the following statements show the average percentage of unemployed returned by trades unions in the United Kingdom in each month since the beginning of 1898, and the percentage of unemployed members of trade unions in Germany from June, 1903, to September, 1906.

UNEMPLOYMENT IN UNITED KINGDOM.

Percentage of trade union members unemployed at the end of each month from January, 1898 to October, 1906.

Year.	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Mean for Year.
1898	5·0	4·4	3·1	2·9	2·7	2·6	2·6	2·8	2·6	2·5	2·3	2·9	3·0
1899	3·0	2·6	2·5	2·2	2·5	2·3	2·3	2·3	2·4	2·3	2·2	2·5	2·4
1900	2·7	2·9	2·3	2·5	2·4	2·6	2·7	3·0	3·6	3·3	3·2	4·0	2·9
1901	4·0	3·9	3·6	3·8	3·6	3·5	3·4	3·9	3·7	3·7	3·8	4·6	3·8
1902	4·4	4·3	3·7	3·9	4·0	4·2	4·0	4·5	5·0	5·0	4·8	5·5	4·4
1903	5·1	4·8	4·3	4·1	4·0	4·5	4·9	5·5	5·8	5·8	6·0	6·7	5·1
1904	6·6	6·1	6·0	6·0	6·3	5·9	6·1	6·4	6·8	6·8	7·0	7·6	6·5
1905	6·8	6·2	5·6	5·6	5·1	5·2	5·2	5·4	5·3	5·0	4·7	4·9	5·4
1906	4·7	4·4	3·8	3·6	3·6	3·7	3·6	3·8	3·8	4·4	—	—	3·9*

* Mean for ten months.

UNEMPLOYMENT AMONG MEMBERS OF GERMAN TRADE UNIONS.

	Membership of Unions reporting.	Members unemployed.	
		Number.	Percentage.
1903.			
June	213,962	6,758	3·2
September	414,855	9,713	2·3
December	429,318	11,030	2·6
1904.			
March	431,421	8,651	2·0
June	490,879	10,485	2·1
September	575,494	11,083	1·8
December	616,582	14,771	2·4
1905.			
March	767,254	12,131	1·6
June	787,337	12,937	1·6
September	868,520	11,805	1·4
December	995,322	17,861	1·8
1906.			
March	1,118,578	12,653	1·1
June	1,053,958	14,310	1·3
July	—	10,428	0·8†
August	—	9,940	0·8
September	1,254,941	13,058	1·0

NOTE.—The above figures are an abstract of such official information as is available with regard to the state of employment in Germany, and are given in order to indicate as far as possible the fluctuations in employment from period to period. The bases of the Official Statistics published in Germany are, however, not the same as those for the United Kingdom, and therefore the figures quoted above cannot be properly used to compare the actual level of employment in the United Kingdom and Germany.

† It is stated in the *Reichs-Arbeitsblatt*, from which these figures are extracted, that on the inquiry form for this month it was for the first time made clear to the persons furnishing returns that all members out of work were to be included as unemployed, whether in receipt of unemployed benefit or not. Formerly, a certain proportion of members who were out of work, but who were not entitled to unemployed benefit, were not included in the returns as unemployed. For this reason, therefore, the statistics relating to this and subsequent dates are not strictly comparable with those for previous periods, but to what extent the figures are affected by the difference it is not possible to state.

Mr. BONAR LAW: Is the right hon. Gentleman aware that since the Fiscal Blue-book was published it has been stated in the *Board of Trade Journal* that the German Government gave statistics of every kind in regard to unemployment—not only such as are included in our own Returns but also some that are not. And is it not the net result that the amount of unemployment is less than 1 per cent?

Mr. LLOYD-GEORGE: The hon. Gentleman is quite wrong. If he will look at the *Labour Gazette* he will find it pointed out there that the German computation is on a totally different basis from our own.

Mr. BONAR LAW: But——

*Mr. SPEAKER: Order, order! This is now becoming a debate.

Weights and Measures.

Mr. BERTRAM (Hertfordshire, Hitchin): I beg to ask the President of the Board of Trade if he will state the grounds upon which he has issued the new Regulation (1) under the Weights and Measures Acts in substitution for the model Regulation (13), issued by the Board of Trade in 1890 for adoption by local authorities; whether he is aware that the new regulation will, by its insistence upon an annual inspection of all weights, measures, and weighing instruments found to be in use for trade at the premises of every trader in the country, deprive the local authorities of all discretion in the matter; whether he has received from any of the county councils communications as to the additional burden which will be cast upon them by the new regulation; and whether he will consider the desirability of withdrawing Clauses 1 and 9 of the new regulations for the present.

The SECRETARY to the BOARD of TRADE (Mr. Kearley, Devonport): The regulations to which my hon. friend refers are still in draft, and have not yet been issued. As was stated in the Answer to his Question of the 1st November,† Regulation (1), as proposed in the draft, differs from the existing model regulation chiefly in the direction of relaxation, *i.e.*, of allowing visits to be made at longer intervals than a year, in certain circumstances. Representations have been received from certain county councils on this and other matters connected with the Regulations, and the whole subject is still under the consideration of the Departmental Committee.

Second Division Clerks.

Mr. WILLIAM REDMOND (Clare, E.): I beg to ask the Secretary to the Treasury what is the rule of seniority among clerks of the higher grade of the second division of the Civil Service; does it depend on the service and standing of the clerk in the higher grade, as in a distinct class, or on the total length of service in the second division, irrespective of the date of promotion into the higher grade.

Mr. RUNCIMAN (for Mr. McKenna): No rule on the specific question has been promulgated, and in view of the fact that promotions depend on merit and not on seniority the Treasury thinks it unnecessary and undesirable to make any rule on the subject.

The Lingfield Prosecutions.

Mr. EVELYN CECIL (Aston Manor): On behalf of the hon. Member for the Hoxton Division of Shoreditch, I beg to ask the Secretary to the Treasury whether he will state the amount expended in costs and expenses in connection with the prosecutions instituted by the Government in connection with the late General Election in the following cases: Rex *v.* S. Barnes, Rex *v.* Thomas A. Blackler, Rex *v.* Eli Peters, Robert Richard Fowler *re* the Reigate Division of Surrey, Rex *v.* Baker and More.

Mr. RUNCIMAN (for Mr. McKenna): The net amount of the costs and expenses incurred by the Director of Public Prosecutions in these cases was :—

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† See (4) *Debates*, clxiii., 1334.

	£	s.	d.
Rex *v.* S. Barnes - - -	11	0	9
,, *v.* Thos. A. Blackler -	15	18	9
,, *v.* Eli Peters - - -	2	13	5
,, *v.* Robert Richard Fowler	18	15	9
,, *v.* Baker & More (Morl) -	39	7	2
	£87	15	10

This net amount is arrived at after taking credit for the county allowances in the cases of :—

	County allowances. £	s.	d.
Rex *v.* S. Barnes - - -	18	12	0
,, *v.* Blackler - - -	21	10	0
,, *v.* Baker & Morl - -	87	4	3
	£127	6	3

These allowances fall on local funds.

Delamere Estate, Cheshire.

MR. A. L. STANLEY (Cheshire, Eddisbury): I beg to ask the Secretary to the Treasury whether he is aware that twenty-one cottages belonging to the Crown on the Delamere estate, in Cheshire, are leased by the Commissioners of Woods and Forests to a man who sublets them to labourers and others at rents which are more than double the rent he pays for them to the Crown; whether such subletting has been carried on with the knowledge and consent of the Commissioners; and whether immediate steps will be taken to terminate such a state of affairs.

MR. JOSEPH A. PEASE (Essex, Saffron Walden): Perhaps I may answer this Question. The cottages in question are leased with a farm of 820 acres for a term which expires at Michaelmas, 1908. No specific amount of rent is paid to the Crown for the cottages apart from the farm, but I understand that the lessee of the farm sublets ten of the cottages to her own labourers at rents of 2s. a week, while the remainder are sublet to other labourers, one at 3s. a week, and the others at 4s. a week. My noble friend the President of the Board of Agriculture does not consider this a satisfactory arrangement, and the matter will be reconsidered on the expiration of the lease.

Tilonga's Appeal.

MR. SWIFT MACNEILL: I beg to ask Mr. Attorney-General whether his attention has been directed to the decision of the Judicial Committee of the Privy Council in an appeal brought before that tribunal in August last by Tilonga, a Native chief, who had been sentenced to 10 years hard labour and a fine of 500 cattle after a trial by court martial, legalised by an Indemnity Act passed by the Natal Legislature before that trial, whereby it was determined that military courts sitting after a proclamation of martial law are not constituted according to the Articles of War or by the Imperial Army Act, and that they are not subject to any superior control so long as their acts are confirmed as the acts of this court martial were confirmed by the Governor of Natal, under whose direction they act; and whether, having regard to the fact that as the Governor of a Colony representing the Crown possesses this power it is likewise vested in the Crown itself and liable to be exercised under similar conditions in these countries, he has any statement to make or will give an undertaking that he will consider the law on this subject with a view to its reform in the interests of liberty.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.): I do not wish to prejudice the question whether the conviction of this chief was justified on the evidence or whether his sentence was excessive, but I cannot undertake to propose any legislation on the subject.

Scottish Prisons.

MR. MITCHELL-THOMSON (Lanark, N.W.): I beg to ask the Secretary for Scotland whether ground is being surveyed for the erection of a new prison in Scotland; where the prison is to be located; how many prisoners it will hold; and what is the estimated cost.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): For the steps taken in accordance with general prisons policy I would refer the hon. Member to pages 296–301 of the Civil Service Estimates for the current year. Negotiations are now in progress, but I am not now able to give details.

MR. SWIFT MACNEILL: Why not in the interest of public economy apply to the Chief Secretary for Ireland for the loan of a few Irish prisons which are entirely empty?

Unemployment in West Clare.

MR. HALPIN (Clare, W.): I beg to ask the President of the Local Government Board whether, owing to the want of employment and consequent distress to the working men in West Clare, he will give instructions to the chairmen of the several district councils and Poor Law unions therein to get the plots of land in connection with the labourers cottages fenced in so as to give employment to the labourers, that they may be able to till the said plots next spring.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.,): My right hon. friend has asked me to answer this Question. I understand that no Provisional Order under the Labourers Acts for any district in West Clare has been issued since August, 1903. The Question would therefore appear to relate to schemes which have not yet come before the Irish Local Government Board, and in regard to these the Board have no power to give instructions as suggested.

Board of Works Employees at Kingstown.

SIR THOMAS ESMONDE (Wexford, N.): I beg to ask the Secretary to the Treasury if the employees of the Board of Works at Kingstown have been notified that the customary holiday on New Year's Day is no longer to be allowed to them, and, if so, for what reason; and whether the Treasury will allow this holiday in future as heretofore.

MR. RUNCIMAN: If the hon. Baronet will refer to the Answer which my hon. friend gave to the hon. Member for the St. Patrick's Division of Dublin on the 5th April last,† he will find that St. Patrick's Day has been substituted for New Year's Day as a holiday at Kingstown.

Ardara Mail Service.

MR. SWIFT MACNEILL: I beg to ask the Postmaster-General whether his attention has been called to the inconvenience and dislocation of business entailed by the fact that there is no mid-day delivery of letters in Ardara, county Donegal, where there is a large if not a larger number of letters on the average than in some of the neighbouring towns in which there are mid-day deliveries; and whether, having regard to the advantages resulting to the trade of the town by the establishment of a mid-day delivery, he will see his way to the granting of this privilege to Ardara, and the placing of this town on terms of equal advantage with the other towns of this district in the means of postal communication.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): As the hon. Member is aware, I made inquiry a short time ago respecting the postal service at Ardara. The cost of the service is already so high that I should not be justified in extending the existing facilities at the public expense.

MR. SWIFT MACNEILL: Cannot you do it out of the £5,000,000 profits made last year?

MR. SYDNEY BUXTON: The profits were not made at Ardara.

Public Accounts Committee.

MR. BOWLES: I beg to ask the First Lord of the Treasury whether it is his intention to afford the House an opportunity of discussing the Reports of the Public Accounts Committee during the present session.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I am afraid it is impossible. The pressure of legislative business becomes greater rather than less as we go on.

Kent Coal Field.

MR. FELL: I beg to ask the Prime Minister whether his attention has been called to the reported new finds of seams of good coal in Kent; and whether, having regard to the national importance of establishing a coalfield in the south-east of England, and to the unsatisfactory progress that has been made in proving and working the coal since its discovery there some years ago, he will cause the Board of Trade to inquire into the matter and get reports from the Government geologists and inspectors of mines which might be laid before this House.

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† See (4) *Debates*, clv,, 711.

SIR H. CAMPBELL-BANNERMAN: I do not see what steps the Government can take in this matter. I am informed that measures for proving the coal are being energetically carried on; and I cannot see that it is the duty of any Government Department to call for special reports.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London) asked the Prime Minister what days he proposed to assign for the promised debates on the Army and wireless telegraphy, and what business he contemplated taking on Thursday and Friday.

SIR H. CAMPBELL-BANNERMAN said he was afraid he could not say yet when those debates would take place. On Thursday it was proposed to take the Education (Provision of Meals) Bill and to submit a Motion for the suspension of the eleven o'clock rule for the rest of the session.

MR. KEIR-HARDIE (Merthyr Tydvil) asked whether the Prime Minister would not give the Report of the Procedure Committee priority over the debates on the Army and wireless telegraphy.

SIR H. CAMPBELL-BANNERMAN: We have certain obligations in regard to those two subjects, but I am very anxious to have the discussion on procedure as soon as possible.

MESSAGE FROM THE LORDS.

That they have agreed to certain of the Amendments made by this House to the Marine Insurance Bill [Lords], without Amendment; they agree to certain other of the said Amendments, with Amendments, and have made consequential Amendments to the Bill, to which they desire the concurrence of this House; they disagree to certain other of the said Amendments, but have made Amendments in lieu thereof, to which they desire the concurrence of this House; and they disagree to certain other of the said Amendments, for which disagreement they assign their reasons.

NEW BILL.

EMPLOYERS' LIABILITY INSURANCE COMPANIES BILL.

"To apply the provisions of the Life Assurance Companies Acts, 1870 to 1872, to companies carrying on the business of insuring employers against liability to pay compensation or damages to workmen in their employment," presented by Mr. Kearley; to be read a second time upon Thursday, and to be printed. [Bill 360.]

PLURAL VOTING BILL.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the Third time."

*SIR HENRY KIMBER (Wandsworth) moved:—"That this House declines to pass a Bill having for its sole object the prohibition and penalising of a large class of His Majesty's subjects in the exercise of admitted rights and franchises, (1) without consideration being given to the whole subject of electoral franchise, and (2) without any relief from the known gross anomalies involved in the present representation of the people in this House, which urgently calls for a redistribution of electoral power, and also (3) without any consideration of the previous constitutional question whether any relation between representation and taxation is to be permanently abandoned, or to what extent it is to be preserved." The hon. Member said he asked himself upon what principle the Government of the day had introduced such a measure? Was it particularly to relieve any class of His Majesty's subjects? It was not a Bill to enfranchise but a Bill which created disfranchisement and disabilities. As its title announced, it was a Bill to impose pains and penalties upon a Parliamentary elector registered in more than one constituency if he should vote in any constituency except that which he had selected for the purpose. It was therefore a Bill to impose a penalty—a penalty for what? A penalty for exercising a lawful right—a right which the Bill did not deny—viz., that of exercising a franchise which had been exercised without dispute for a very long period of time. He therefore again asked himself why was it the Government of the day brought in a Bill to impose disabilities, take away rights, and impose pains and penalties? The penalty imposed was that for felony. The offence was called "personation." If a man exercised his own right to give his own vote in his own name in his own constituency he was pronounced in the Bill to be guilty of "personation." Personation of whom? He always thought personation was when a man presented himself somewhere and pretended to be someone else. Under the Bill a man having a vote for more than one place was called upon to set a mark against his name in the constituency in which he intended to vote, and if he failed to do so he was entirely disfranchised. By setting his mark against his name a man held himself up to his political opponents and the local wire-pullers; having excluded himself from voting in the other constituencies he had to be provided against only in that particular one. The penalties imposed for this Bill-created crime—it could not be held to be a moral crime, as there was no fraud and no moral turpitude—were excessive. A man had to forfeit all his rights to the Parliamentary franchise for seven years, and might be condemned to two years imprisonment with hard labour without the option of a fine, and no such luxury as that accorded to first class suffragettes. That might or might not be considered by some persons who were actuated in their legislation by vindictive principles too severe, but he looked upon it as being unjustifiable. He started with the proposition that at all events it was not a Bill which would ameliorate the position of any class of His Majesty's subjects. He had sought in vain in the speeches of the right hon. Gentleman who brought in the Bill and in the speeches of other Members of the Government for any reason for bringing in this Bill, either on the grounds of urgency or on the ground that it ameliorated the position of anyone, and he could find no reason at all. The Prime Minister said in almost the same terms as the right hon. Gentleman that the object of the Bill was to do away with the anomaly of strangers being able to vote down residents, and to prevent freeholders from towns being introduced wholesale into elections in county divisions. The second reason was one which related to the future, and dealt with prevention, and he had nothing in the world to say against a Bill which provided for the future against the artificial introduction of freeholders from towns or anywhere else merely to swamp a county division or any other division. Anything in the way of the prevention of a wrong of that sort would be perfectly legitimate. But this Bill did nothing of the kind, because it was *ex post facto* legislation, which destroyed rights which had existed from time immemorial, on the mere ground that it was an anomaly. Freeholders residing in one county were not to be able to vote also in another county in which their property rested, and in which they paid taxes and supported people. This from a Government who said that locality had nothing to do with representation! But let them see, to use an American phrase, "Who is hurt" by the *status quo*? Was it the Government of the day who had a majority of some 300? No, but when they presently came to examine the figures and the history of the recent past they might perhaps discover a latent reason why in the interests of their Party it had seemed good to the Government to bring forward this measure to confiscate the rights and to disfranchise that large portion of His Majesty's subjects who were voters and electors in more places than one by virtue, not of any fraud, or of any illicit action, but by their having legitimately acquired and become possessed of properties or having set up industries in more than one place. These men had paid taxes to the State and employed labour of all kinds, and yet it was said they were not to be entitled to have a vote in all the counties or divisions in which they were rendering these services to the public good. [MR. J. WARD: "They take the rents."] If they did take rents they also paid taxes and performed duties. Presently he should have to ask why the Government had arrived at the conclusion that taxation and representation were to be for ever divorced. It was said that manhood and residence should be the only qualification. In that case a general in the Army who had succeeded in saving his country from great perils should have no more influence at the polls than the man who groomed his horse. This was a deprivation and not an enfranchising Bill. Why should not freeholders in the county have votes ? What was the county ? Why should it have representation at all, if the people who were in it and who paid the rates and taxes and were loyal subjects were to be deprived of their votes ? Let them take the case of the Universities. It was true the Government did not destroy the University constituencies, but he supposed that would come next. The Bill would, however, have a grotesque effect upon the University seats, as the representation would be left to the heads of colleges and dons who would probably have no residential qualifications elsewhere, and who would have the matter in their hands. The wire-pullers and caucus-mongers would see the advantage of that, and the probability was that they might have as representatives of these great seats of learning not men who were worthy to represent them, but men who were selected for political and much lower reasons than had hitherto prevailed. Or he might instance the City of London. The Liveries of the City were to be deprived of their votes, and the representation would be left in the hands of a few caretakers and such members of the Liveries who chose to reside in the City in order to retain their votes. The Members of the Liveries of which he was one could afford to bear the cheap sneers which were heaped upon them, but he thought the Liveries of the City of London were composed of men who could compare favourably with any body of His Majesty's subjects.

Mr. J. WARD : They have some fine dinners.

Mr. SPEAKER said he must ask the hon. Member for Stoke-on-Trent not to keep up a running commentary on the speech of the hon. Member who was in possession of the House. He would have an ample opportunity later on of saying what he wished.

*Sir HENRY KIMBER said he was very much obliged to Mr. Speaker for relieving him from that annoyance, which had troubled him somewhat, though he had not grumbled at the action of the hon. Member for Stoke-on-Trent. He would not grudge him the opportunity of intervening if he wished. The hon. Member happened to be a constituent of his own, and no doubt had some reason to complain because he did not properly represent him. The hon. Member, however, now represented himself. But he bore the hon. Member no ill-will and hoped to continue on good terms with him, and to treat him as every Member of the House was entitled to be treated, as an equal while in it. There were many real wrongs which might have been remedied by this Bill, such as proposals to deal with the votes of the Members of the mercantile marine who by their absence had no opportunity of voting. That was a moot question, and he would not intrude it upon the House now. The same remarks applied to the Navy. But there was a much more serious wrong. We were said to govern ourselves, but under the existing machinery of representation it could not be told whether we governed ourselves or whether somebody else was governing us. In 1893 the late Sir William Harcourt spoke upon a Motion which he (Sir Henry Kimber) introduced in regard to distribution of electoral power, and agreed that serious anomalies in the representation of the people existed, to such an extent as involved the danger of the will of the nation being misrepresented and possibly controverted by the decisions of the House of Commons. The right hon. Gentleman said that no one could deny that great inequalities existed, not only in the representation of Ireland but in regard to that of London, and before long, probably sooner than later, there must be another Redistribution Bill. The subject must be dealt with before long. The right hon. Gentleman also said that he would not traverse any of his (the hon. Member's) statements, and appealed to him to withdraw his Motion, which out of deference to the right hon. Gentleman he did. He brought the matter forward several times in every succeeding year. Ultimately a measure, a very lame measure, was brought in and it came to nothing. We had now a Government with plenty of power and time before them, and they used the opportunity not for enfranchising non-represented people but for confiscating rights which had existed for generations, while they declined to take in hand the removal of real and gross anomalies which year after year were increasing and which involved the serious question of whether the power was exercised according to the will of the people. In anything he had said or written upon this subject of redistribution he had always been careful to keep clear from anything like Party bias. It was to the benefit of the House itself that it should represent the real will of the country. There were eight great anomalies from which the people had suffered since 1893, and which were growing in intensity every year. Constituencies of over 40,000 electors, and others with less than 2,000 electors, were represented in this House each by one representative. Over 100 members of this House represented constituencies of over 15,000 electors, fifty Members represented constituencies of under 5,000. Fifty-five Members represented constituencies of over 20,000, fifty - five represented constituencies of 2,000. Five Members, of which he was one, represented as many electors as forty-five other Members. He might fairly contend that four-fifths of the electors of this country were practically unrepresented as regarded the power of voice, and some might say they were misrepresented. Scotland had seventy-two Members, and had an electorate and a population larger than Ireland, which was represented in this House by 103 Members, though he admitted that owing to distance Ireland was perhaps entitled to some special consideration in this matter; at the same time so glaring a disparity ought to be remedied. The average electorate per Member in England was 11,442, in Ireland 6,283. If the electorate of the United Kingdom was divided it showed that one-half was represented by 206 Members and the other half by 464. A majority of 370 represented 2,750,000 electors whilst the minority of 300 Members represented 4,300,000. These anomalies were infinitely greater than that which was proposed to be dealt with by this Bill. This was one of the most grave questions. It was one which might cause the will of the nation to be misrepresented and cause the people to govern themselves in a way which they did not wish. That was exemplified by two illustrations. At the time of the passing of the 1885 Reform Bill the proportion of the highest constituency to the lower was only eight to one, and now the proportion was thirty to one. In the general election of 1895 481 contested elections gave to 1,775,000 Unionist voters 279 seats, and to 1,800,000 Liberal voters 202 seats. It was those very contested seats that changed the Government of the day. It was quite possible for the present Government to contend on these figures that they should have been returned to power on that occasion. In the general election of 1906 the Liberal and Labour Parties polled 3,044,000 votes and obtained 428 seats, and the Unionists 2,400,000 and only obtained 139 seats. Each supporter of the Government represented 7,113 citizens, each Unionist Member 17,303. So that their votes were in the proportion of five to four and the Members they returned were one to three. These figures he suggested were the reason for this Bill. The injustice of the present anomalies would be shown by two simple illustrations. In a county of four divisions three Liberals and one Unionist were returned, though the bulk of the votes in the whole county were Unionist; in the other case, the case of a borough, two Unionists were returned by a small majority and one by a Liberal and Labour split, though over the whole area the Unionist total was less than the total of Liberal and Labour votes as a whole. In that case the Liberals were entitled to lwo Members out of three. These anomalies were more gross than anything touched by this Bill. He would no doubt be pardoned for asking in boyish phrase, What was the game? The game was not shown by a single move. This Bill was one move only. It was part of a sequence of measures introduced by the present Government; the Education, the Land Tenure, the Town Tenants, and this, the Plural Voting Bills. The Education Bill was a Bill to despoil a great Church which had deserved for centuries past the praise and gratitude of a great nation. Whatever its faults—and he was free as a churchman to say there were many—

it was at least a satisfaction to know it had done great things for the education of the country. The Education Bill was to despoil the Church. The Land Tenure Bill was a Bill to despoil landowners. The Town Tenants Bill was a Bill to despoil the owners of houses. The Plural Voting Bill was a Bill to despoil electors of their right to vote. All these Bills were disability Bills. They were all Bills which, like this one, took away privileges and rights which free men had got of entering into free contracts and transactions and of exercising their liberties in all things lawful. The very manhood of the country, using it in the sense of voting, or not, was affected. We were gradually drawing toils about our legs which would emasculate the powers we possessed for work and for progress. He appealed to the right hon. Gentleman even at this last hour of the passage of the Bill through this House to consider whether he would not hold this Bill in hand until he had taken under his care also the other and larger and more pressing question, the redistribution of seats. If not, he asked the House to reject the Bill, because it was one of disfranchisement and deprivation of admitted rights, because it left increasing evils, which the Government admitted to exist, untouched and unremedied; because its methods were unfair and crude; because it created a crime, and imposed penalties for exercising civil rights; because it ignored the cardinal maxim that taxation should have representation; and because it left tens of thousands of citizens unrepresented in Parliament, and unable to participate in the Government of the country or their own affairs. Finally, he would submit that this Bill was not the Bill of a statesman, but the Bill of a Party, whom accident had placed in a position of temporary power, to disfranchise their opponents.

*Mr. F. E. SMITH (Liverpool, Walton) said he was sure the House would recognise in the unique experience of his hon. friend, who had sat for one of the largest constituencies of the country for more than twenty years, a right to claim respectful consideration from all sections for the arguments he put forward. He therefore regretted that during the greater part of the speech of his hon. friend the only audience on the Treasury Bench was the right hon. Gentleman in charge of the Bill. He did not think anyone would under-rate the knowledge which the right hon. Gentleman had of the Bill, or the skill with which he had conducted it through the House, but he should have thought that an old Member of the House, speaking with great experience, might have expected a larger audience on the Front Bench opposite. The right hon. Gentleman in introducing the Bill observed that he proposed to place a limit on an abuse and an anomaly. It was a convenient thing in all legislation, before attempting to cure, to diagnose clearly the grievance to which the cure was to be applied. In other words, before they tried to correct anomalies they should clearly understand what was the standard, rule, or principle from which it was alleged that the anomaly was a deviation. There were two competitive principles in regard to the issue before the House. In the first place, there was the principle that local interest should be represented even at the cost of an occasional duplication of votes. The second principle, he supposed, demanded the exact proportionment of the voting strength of the individual to the aggregate number of individuals who at any given moment were qualified to exercise the franchise. He knew of no other principles than these two that could be brought forward as the standard in reference to which the issue of plural voting might be considered. He agreed with the late Mr. Gladstone that historically a great deal might be said in favour of the old principle which secured representation to localities, even if it involved the anomaly of the duplication of votes. He did not blind his eyes to the fact that under the conditions of democratic evolution in this country to-day the cause of plural voting examined *simpliciter*, and with reference solely to its own merits appeared to be a lost one. In his own judgment the case which depended upon local representation, if it involved duplication of votes, was not one which was likely to be successfully decided on its own individual claims to survive, and he would say on his own behalf that, having neither the desire nor the aptitude to play the part of Don Quixote in a losing case, he did not propose to contest it in his own constituency. In this respect, therefore, he proposed—and he would respectfully invite his hon. friends to do the same—to affect a virtue if he had it not. It must be conceded, therefore, that everybody who wished to realise a really democratic system of representation must concentrate in support of the other proposition, which involved three reforms—first, the numerical equalisation of constituencies; secondly, a periodical revision of an automatic character; and thirdly, the abolition of the plural vote. So far as he was concerned he should be quite prepared to support the Government in any measure which would adopt the second principle in its entirety. He had a reservation to make in favour of the continued representation of Universities. He agreed that it was an anomaly, but there was hardly a Bill introduced this session by the Government which did not contain an anomaly. Anomalies were the life and breath of the British Constitution. What he objected to very strongly in the attitude of the right hon. Gentleman with reference to the representation of the Universities was that although he disavowed the policy of bleeding the Universities white, that would be precisely the effect of the Bill in this matter. He preferred the attitude of open, honest hostility to the attempt the right hon. Gentleman had made insidiously to deprive the Universities of voters year by year, until they were able to turn round and say University representation was no longer able numerically to justify its existence and must be put an end to. The argument of the hon. Member for Northampton did not deserve much consideration when he spoke of the standard of University degrees and indicated that Labour Members would not think it a very high standard. The comparison ought to be between the intellectual power of the average voter and the intellectual power, not of Members of this House, who *ex hypothesi* ought to possess exceptional powers, but of the individual elector in the constituencies. He had given some attention to a Paper which had recently been laid upon the Table of the House with reference to illiterate voters. He found that in England and Wales, out of 4,880,000 there were 19,758 illiterates, or ·4 per cent. In Scotland out of 585,691 voters 2,041 were illiterate, or ·3 per cent. In the case of Ireland, out of 135,882 voters there were no less than 12,510 illiterates, or 9·2 per cent. By a side attack the Government were trying to destroy the representation of the constituencies in which there was a stronger guarantee for a high standard of culture and education on the plea of destroying an anomaly, and at the same time they were deliberately perpetuating another anomaly by which Ireland would continue to be unduly represented, although it contained by far the highest percentage of illiterate voters. In legislating upon this question they had to deal not with one anomaly but with two, namely, the existing disproportion in the size of the constituencies and the system of plural voting. It was highly desirable to inquire what was the extent of each grievance. He gathered from the last Parliamentary Paper issued on the subject that there were about 600,000 plural voters in this country, and probably there were not more than 500,000 who at any given time could conceivably exercise the right to vote. They might reasonably subtract one-sixth as belonging to the class of agricultural labourers and artisans who had been placed accidentally on the register without their knowledge and without the slightest prospect of availing themselves of the right of plural voting. Making a further deduction for absentees in a generally accepted average percentage they would get about 400,000 plural voters who would be likely to exercise the plural franchise. It was, of course not reasonable to suppose that all plural voters were on the Oppositition side of the House. Therefore, out of a population of 40,000,000 they had about 400,000 citizens who might be expected to avail themselves of the opportunities given to them by this gross anomaly which the Government thought it worth their while to remove in their first session of Parliament. He would not emphasise at any length the points which had been so ably made by his hon. friend the Member for Wandsworth, but there were four constituencies he desired to mention. One was Romford, with a population of

217,000; another Walthamstow, with 185,000 inhabitants; the third Wandsworth, with a population of 179,000; and the fourth Harrow, with 177,000. There were five English Parliamentary divisions, in which the total population was far greater than in fifteen Irish borough divisions, which returned sixteen members. The result was that five hon. Members of the House represented as much voting strength in their constituencies as sixteen hon. Members who represented fifteen Irish borough divisions. Those reflections suggested that there must be some reason why the Government had chosen one of these anomalies for correction and neglected the other. Probably the right hon. Gentleman in charge of the Bill would say that, although the Government fully recognised the second anomaly, it could only be dealt with just before a dissolution. But surely the anomaly of plural voting could have been far more conveniently dealt with at the same time. What explanation could be suggested for the selection which the Government had made and for the astonishing haste to secure this particular reform? Some hints in this direction had been given both inside and outside the House of Commons. The *Westminster Gazette*, a paper distinguished both for the ability and the fairness of its controversial methods, in discussing the objections advanced upon this subject, said they never could expect to have an anomaly removed except by a Party which was likely to gain politically by its removal. He did not complain of the frankness of that statement. The hon. Member for Prestwich, in an illuminating flash of candour, had said the Conservative Party was the propertied class and this Bill would affect them most. The Opposition could not afford to allow these contemporaneous contributions to their researches to pass without notice. The hon. Member for Stoke had observed with great satisfaction and complete candour that it was the business of the Patronage Secretary to dish the Unionists. Then the hon. Member for the Eskdale Division, although strongly in favour of woman suffrage, deplored and resisted the suggested postponement of this question because the Bill would be useful at by-elections. The hon. Member for the Eskdale Division was honest enough to say what most hon. Members opposite were only thinking. These statements enabled the Opposition to generalise the motives of the Government, because on the showing of their own friends they were attacking deliberately the smaller of two anomalies in order that they might make Party capital by disfranchising the plural voter. That was an exasperating policy to come from any Government, and it was particularly exasperating when it came from a Government which made on its own behalf high professions and a claim for public morality. The most suitable Party emblem of the present Government might be borrowed from the kindred sect of the Pharisees. He would recommend them to counter the Primrose League by a Phylactery League. They had introduced the one reform which was likely to benefit themselves, whilst they had left unredressed each greater anomaly which would prejudice their Party interests as a whole. They had heard *ad nauseam* the right hon. Gentleman state that he could not accept one Amendment or consider another on the ground that it would interfere with the principle of the Bill. The only possible retort to which was, should they not leave principle out of the question? This Bill was doomed as surely as the Education Bill, and he hoped it would receive the treatment it deserved in another place. It threw duties and liabilities upon the plural voter to which the single voter was not exposed, and not a single argument in justification of this course had been advanced in the course of the whole of this debate. He had no objection to the Government in pursuance of a general scheme of reform depriving the plural voter of what they conceived to be an undue and inordinate influence in the voting power of the State, but why should they, in the first place, impose upon the plural voter liabilities and conditions which they did not impose upon the single voter? In the second place, the right hon. Gentleman had deliberately flung away the opportunity offered of availing himself of the residential principle if he had the judgment to concentrate upon a simple and logical principle. In the third place, the right hon. Gentleman had exposed the Bill to an objection which, in his judgment, was the most serious grievance of all, namely, the keeping up of the standard of costs in those large constituencies in which the number of plural voters was very great, on the basis that the electorate was unchanged by the existence of the plural voters.

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale) indicated dissent.

*MR. F. E. SMITH said the right hon. Gentleman shook his head. He was perfectly well aware what the right hon. gentleman meant. He knew that an Amendment was introduced on Report for the purpose of modifying to some extent this particular ground of criticism, but he still said that the Bill maintained the standard of expense in those constituencies where there were a large number of plural voters, because at any moment the apparent aggregate number of voters would depend upon an entirely fallacious basis. If the right hon. Gentleman dissented from that it was perfectly clear that the Bill did not carry out what he said was the object on its introduction, namely, to keep alive as possible voters persons who had qualifications in two constituencies. Unless these voters were kept alive what became of the facility of transference which the right hon. Gentleman said was one of the merits of the Bill? If they did keep these voters alive the result would be that every Member of the House in a constituency would be obliged to reckon a number of ineffective deadheads for the purpose of his campaign, or preliminary campaign, as potential voters, and a candidate must to some extent be put to expense in keeping himself abreast of the removals, and in communicating with the possible survivals. He ventured to tell the right hon. Gentleman that the co-existence of seventeen different franchises—the fruit of the fortuitous development of our franchise system—rendered it extremely difficult for anybody to attempt the disingenuous manipulation of that system as a whole. Those difficulties were insuperable by any Bill that could have been introduced, unless the right hon. Gentleman adopted the course which he thought the majority of the House would agree was by far the most satisfactory, and that was to provide that all the elections of the country should be held on the same day. If the Government had wished to carry out their object with the minimum of friction and the maximum of practical result they could have prayed in aid inexorable considerations of time and space and said that all elections should be held simultaneously. He did not think that the Government were unwise from their own point of view in introducing this Bill in the first session of the present Parliament. If they looked back on the political history of the country they would find that it had always been the object of a Liberal Government, though it had not always been successfully carried out, to ensure when returned to power that by no possible means should it appeal to the same constituencies as returned it to power. It was the policy of the Eastern usurper who, having acquired power by immoral methods, proceeded to annihilate the male progeny of his rival. A policy of that kind applied to the case of plural voting would, he ventured to say, speaking on behalf of what he believed was the smallest numerical minority which had ever confronted a Government since the Reform Bill, bear an odious complexion in the eyes of the country who would rightly take the view that the Ministry should not have committed themselves with indecent haste to remove this anomaly in the first session of Parliament—a time when there were many grave social questions which called for the immediate attention of the Government. Hon. Members of the Opposition realised in the plainest possible manner that this Bill was not to be considered alone. It was an insidious incident in a general campaign on which hon. Gentlemen opposite for their own purposes were entering — a general campaign which travelled far beyond the inconsiderable issue of the franchise. They had reached the time when, from the point of view of a possible issue between the House and another place, it was thought desirable that measures of this kind should be hurriedly introduced. In a phrase which was very fashionable some years ago the ploughers of the sands were harnessing their foundered horses, and the spirited policy of filling up the cup was well under way. This was one of the Bills which was to be made capital of for that purpose, while an attempt was ingeniously made to pack the jury before the appeal was made to them. He ventured to think the policy would fail. It would fail simply because in England the pettier forms of dishonesty had never succeeded in the long run. He trusted this Bill would meet the fate which some of them anticipated in another place. He and his friends looked forward without the slightest trepidation to the wind and fury now in process of artificial manufacture. It was astonishing to those on his side of the House that an experienced politician like the President of the Board of Trade should not perceive that the artificial indignation he had been expressing in the country was wholly superfluous if the country was really with him on this and other Bills. At the time of the Reform Bill the country knew what it wanted, and it did not require any politician blowing a Party bellows to make it articulate. If the country was not with the Government on this and other issues the utterances of the right hon. Gentleman and others were futile, ridiculous, and contemptible. Their speeches were merely the despairing utterances of baffled malice. If the Government had made an honest attempt to make the House of Commons a more faithful representation of every section in the country they would, he believed, have commanded the support of every section of the House, but he did not believe that the attempt which they had made by this measure to load the electoral dice at the bidding of Party agents would survive the Houses of Parliament, and he was certain that it would never receive the deliberate approval of the electors of this country.

Amendment proposed—

"To leave out all the words after 'that' and insert the words, 'this House declines to pass a Bill having for its sole object the prohibition and penalising of a large class of His Majesty's subjects in the exercise of admitted rights and franchises, (1) without consideration being given to the whole subject of electoral franchise, and (2) without any relief from the known gross anomalies involved in the present representation of the people in this House, which urgently calls for a redistribution of electoral power and also (3) without any consideration of the previous constitutional question whether any relation between representation and taxation is to be permanently abandoned, or to what extent it is to be preserved.' "—(*Sir Henry Kimber.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HARCOURT said it was quite true that the simple principle of the machinery of this Bill had been fully and frequently debated in the House. It was also true that, not from his own wish, hon. Members had had to listen *ad nauseam* to his answers to their questions. Hon. Members would not be surprised, perhaps they would be relieved to hear, that he proposed to detain them for only a very short time in answering the mover and seconder of the Amendment. During the earlier stages of this measure the Opposition had constantly stated that for many reasons the Bill, in their opinion, was wholly inadmissible. But this Amendment seemed by implication to suggest that in certain circumstances and with some form of redistribution it would have been almost acceptable and tolerable.

MR. F. E. SMITH: The principle of the Bill.

MR. HARCOURT said that without the encouragement of hon. Gentlemen opposite it would not have been civil to have said of the hon. Baronet's Amendment that it was a mere pretence and transparent sham. Out of mere courtesy to the hon. Baronet he must be allowed to assume that he seriously meant what he had so solemnly said. The assumption then was that with some form of redistribution this Bill would be acceptable.

*SIR HENRY KIMBER said he did not say that. He said the consideration of this proposition ought to be accompanied by the consideration of the other question.

MR. HARCOURT said the hon. Baronet's friends had frequently stated that the machinery which he was anxious to bring into being would be difficult to work and puzzling to those whom it was likely most to affect, but it was generally admitted that the difficulty would only be acute in the initial stage of the Bill. Assuming that hon. Members were right, was it not obvious how considerate he had been to those upon whom, owing to their superfluity of power, he was obliged, in justice, to inflict some slight and temporary inconvenience? He had seized the earliest opportunity in the first session of a new and probably prolonged Parliament in order to bring in a Bill to correct these anomalies. It was quite well-known that redistribution belonged to the latter end of their Parliamentary existence. He had therefore arranged with great forethought and much tenderness that these pluralists should have the largest possible interval for their study of the law and in order to acquire the knowledge by which, with the minimum of trouble, they might divest themselves of any inconvenience which might adhere to their superfluity of votes. He had no doubt himself that the plural voters would attach very special value to the interval which he proposed to provide between the passage of the Bill and the change in the electoral machinery coming into operation. The Motion moved by the hon. Baronet was really very similar to those which had been the ordinary concomitant of proposals for the enlargement and the increase of the franchise, but it had never, so far as he knew, been proposed to attach it in past times to a measure dealing mainly with electoral machinery. Whether such Motions in the past had always been honestly intended to be taken in their literal sense, he thought those who were acquainted with the history and opponents of reform might be permitted to doubt. Certainly in many cases they were used as a weapon, not to accelerate, but to retard, reform, and they had often been used as a justification for still more drastic hostility in another place by a body of men who could not be registered, who were never elected, who had no popular sanction for their decisions, and who had no concern whatever with the machinery of registration. He was certainly not prepared to admit that this Bill was undesirable now, because it could not be followed, until a later stage, by proposals for redistribution. If the hon. Baronet were willing to substitute the converse of the Amendment he had placed on the Paper, if he were willing to move that under no circumstances should a Registration Bill be passed unless it was accompanied by "one man, one vote," then he would find in him an enthusiastic supporter, though, he was afraid, the hon. Baronet would have to part company with most of those amongst whom he sat. He was surprised that, to-day, and knowing the opinions which had been expressed by hon. Members at other stages of the Bill, the Opposition should be willing to shelter themselves behind what he might be permitted to call without offence an evasive Amendment. When he saw the Amendment on the Paper he had asked himself what was the meaning of it, and he came to the conclusion that what the Leader of the Opposition averred to-day he anathematised yesterday, as in the case of the Trade Disputes Bill. The right hon. Gentleman might say that after all there were a good many plural voters on this side of the House and that he saw no reason any longer to oppose the Bill; that it was too late to change or reject the Bill; that it must be accepted and the responsibility for its working be thrown on the Government. And he hoped that the right hon. Gentleman would also arrive at the conclusion that the less said in another place the better. He saw the right hon. Member for South Dublin opposite; he humbly offered to become his confessor, and asked him to repeat his performance of ten days ago in regard to the Land Tenure Bill. On the Third Reading of that Bill, the hon. Baronet the Member for Wandsworth moved its rejection on the ground that it destroyed freedom of contract, and altered the whole position of parties to a bargain; but at the conclusion of the debate the right hon. Member for South Dublin said that although he did not like the Bill, yet as the Government on the Report stage had adopted several Amendments, which had gone a long way to meet his objections, he was reluctant to vote against the Third Reading, and he did not do so. He would remind the right hon. Gentleman that on the Report stage of this Bill he too had gone as far as possible to meet the objections to some of its details, and he hoped that the right hon. Gentleman might yet re-consider his position, and not allow himself to be led away and led astray by the hon. Member for Wandsworth. He certainly had expected that the Opposition at this stage would have boldly declared that this Bill was to them *Anathema Maranatha*, and that they would not touch the unclean thing. But surely the caution and the timidity of their procedure had slightly smeared them already with his pitch. He was amazed that the Opposition should have adopted such a line of attack as this, and above all, that they should have chosen the hon. Baronet as their champion, when he remembered what was their and his record in the late Parliament on the subject of registration. When he entered this House he used to look with awe on the hon. Baronet with his portly figure and troubled intelligence. He watched the hon. Gentleman marching along the corridors, and he said to himself, "There is the Napoleon of reform." With folded arms and bowed head he conceived of a scheme of redistribution, as if it had been a new Code Napoleon. He watched with anxiety, expectation, and sympathy that period of gestation, and when at last on the 10th July, the poor little mouse was born, they knew what the Tory Party really meant by "one vote one value." The Government adopted the mouse, and gloated at its early vitality. The Prime Minister said that they must pass the Resolutions in favour of a scheme of re-distribution, adding that they were extremely simple, as ten years previously, the right hon. Member for West Birmingham had declared that his plan of old age pensions was extremely simple. But those resolutions were never debated in the House. And why? Because the right hon. Gentleman, despite his enormous majority, was told that he would not be permitted to carry them *en bloc* after one division. Accordingly on the 13th July the bantling ceased to breathe. It was quite true that they were told by the Prime Minister that the Government would proceed to deal with re-distribution by Bill on the precedent set by Mr. Disraeli in 1857; but the right hon. Gentleman did not present a Bill in the House, not even a ten minutes Bill! The right hon. Gentleman the Leader of the Opposition had always, or nearly always, the courage of his convictions, but who could blame him for not having the courage of the opinions and the re-distribution plans of the hon. Baronet the Member for Wandsworth? Think what must have been the position of a philosophic wrangler, suddenly confronted with such a scheme as that which was submitted in July of last year—a scheme founded, as he presumed it was, on nice, accurate mathematical calculations, and having, as they knew, no relation whatever to party advantage, and nothing whatever of a political complexion, yet arriving at a result which, when dissected by electoral experts, seemed to show that the higher mathematics irresistibly led to the conclusion that, in violation of the second article of the Act of Union, they must disfranchise twenty-two Irish seats, and that, at the same time, by an equally curious accident, it was essential to preserve intact nearly all the southern and eastern boroughs of England, which, by another extraordinary coincidence did, at that moment, return almost exclusively Tories to Parliament. Knowing the views of the late Government on redistribution, he saw no reason to postpone this moderate and desirable Bill for any proposals which they might make or with which they would be likely to be satisfied. And, in view of their recorded opinions, there was another Amendment which might be suggested to the hon. Baronet. He thought he could promise the hon. Baronet almost unanimous support if he would move that under no circumstances should any measure of electoral reform be passed that was accompanied by such registration proposals as were put forward by the late Government last year. Of course as regarded future legislation he could not speak for a Cabinet to which he did not belong and he spoke only for himself, but if this Bill might prove to be a courier or forerunner of any greater measures, and if he had acted as a link boy in the fog of our electoral system, he should be content, because in his opinion our present system of representation was an accumulated patchwork, composed partly of a little conviction, partly of a little concession, and partly of a little cowardice. Some hon. Members seemed to believe that this Bill was introduced by him with the delibeerate purpose of inflicting an injury upon his political opponents. [Cries of "Oh."] Well, that had been suggested, and all he could say was that no such consideration affected his mind. For years he had outside the House been an advocate of this reform, and he had always thought that this particular form of representation, the plural one, was one of the most arbitrary and could not be justified. He had always believed that it constituted a grave hardship upon all the other voters whose voices were overborne by the superfluous suffrage of those who had no more manhood than themselves. If, supposing right hon. and hon. Gentlemen opposite were right, which he did not admit, then he had only to say that, although plural voters would lose what had been a valuable asset to them, they were only parting with an unfair advantage which they ought never to have possessed—an advantage which had vitally warped the policy of this country for many years past. He claimed that the present measure would enable hon. Members opposite when they returned to the Ministerial Benches, as return no doubt they would, to say that they would represent the true and honest opinions of their countrymen.

MR. WALTER LONG (Dublin, S.) said the right hon. Gentleman when he took part in their debates added immensely to the humour of their proceedings, but he had never listened to a speech which was less satisfactory as an answer to those which had preceded it. Two of his hon. friends had brought forward serious and grave arguments connected with the circumstances attending the introduction of the Bill, to which no answer had been given. Their criticisms of the machinery of the Bill were also well worthy of an answer, but the right hon. Gentleman in the few moments which were left to him in the midst of his numerous quips and cranks had devoted not one single word in reply to any one argument which had been advanced. The right hon. Gentleman who had talked so bravely about courage and cowarice had taken refuge in an attack upon the measure proposed by the Party opposed to him two years ago, which, although he was out of the House, he could not resist the opportunity of criticising notwithstanding the fact that those proposals were not before the country and he was himself responsible for proposals of a totally different kind. He thought a Minister who in his closing pathetic utterances told them that this was the one child he had been nursing for the last six years owed it not only to his friends but his political opponents to give some better answer to the arguments which had been brought forward. The right hon. Gentleman was good enough to offer to become his father confessor. He had not one at present, and if he wanted one he should not trust himself to the right hon. Gentleman after the way in which he had shown him that he would relieve his conscience. The right hon. Gentleman had appealed to him to adopt a similar course to that which he had taken on the Land Tenure Bill, but it was extraordinary that the right hon. Gentleman did not understand the difference between the two Bills. In the case of the Land Tenure Bill the Government introduced a long series of Amendments which, in his opinion, altered the Bill in its most objectionable clauses. Nothing of the sort had been done in regard to this Bill. The author of the Bill had told them he had had the subject in his mind and thought for years. It had had all the advantages of Government care and preparation. Yet after the proceedings in Committee the hon. Gentleman was obliged to come down on Report with a series of Amendments which totalled rather more than the whole of the Bill. And what were those Amendments? Were they a concession in principle? The right hon. Gentleman would admit that they in no way altered the principle of the Bill. All they did was to meet criticisms advanced from the Opposition side of the House, and supported by the very few speakers who rose on the Government side during those debates—for it was a remarkable thing that whenever an hon. Gentleman opposide, not an occupant of the Front Bench, rose to support the Government, he almost invariably criticised the Bill adversely. These Amendments had in no way altered the objectionable features of the Bill. The right hon. Gentleman himself would be the first to admit that they had made no alterations in principle in the measure, and that the Bill on its Third Reading was the Bill as it was read a second time, with only such Amendments in the machinery as had been rendered necessary by the criticism levelled against it. The right hon. Gentleman had suggested that the Amendment of the hon. Member for Wandsworth involved the acceptance of certain principles, and that with the addition of these the Opposition would be prepared to accept the Bill. There was nothing whatever in his hon. friend's speech to justify anything of the kind, and nothing in the speech of the hon. Member for Liverpool or in any of the other speeches made on the Bill, to justify the belief that the Opposition would accept the present Bill to carry out this reform. He knew it had been said in the House and elsewhere that the Bill was regarded by many on the Opposition side as a Party attack. It was not suggested that the right hon. Gentleman in charge of the Bill had acted in any way inconsistent with the discharge of his duty. The view he had mentioned, however, was held and held strongly, and he was not surprised at it, for in the course of these debates they had never heard why this particular electoral reform was viewed as so vital and pressing by the Government. There was one very peculiar aspect of the case, viz., that there was no precedent for the introduction of a measure of reform which would have the result solely of disfranchisement. So far as he knew this was the first time a measure had been brought in which sought to disfranchise a number of the electors without at the same time making any change in the franchise conferring further electoral power on others. In this respect the Bill was not only a precedent, but, he believed, a very bad precedent. He remembered the debates on the Reform Bill of 1884, and he appealed to those then in the House whether he was not right in saying that there was no subject on which Mr. Gladstone spoke with greater force and earnestness than the desirability of not disfranchising by Act of Parliament, however necessary it was to enfranchise fresh electors. Under the Reform Bill of 1832 some half million were enfranchised, and by the Bills of 1884 and 1885 some 2,000,000, but the franchise was taken from nobody; whereas under the present Bill the franchise was taken away from some and given to no new body at all. He submitted that that was a very bad precedent to set in reform legislation. The right hon. Gentleman had denied that there was any Party animus as the foundation of the Bill, and he was quite sure from that declaration that to attack a political Party was not his personal object. However, there had been speeches from hon. Members on the Ministerial side which had plainly indicated that the effect would be to injure the Party opposed to them, and he did not think speakers on the Opposition side could be blamed if they took advantage of these stray utterances and gathered from them that there was some foundation for the charge which had been made. The hon. Member for Wandsworth had dealt with the great anomaly in our electoral system—the unequal distribution of political power. Apart from that there were many anomalies, some of a graver character than that with which the Government were anxious to deal. There was the distance of residence of an elector as affecting the voting qualification in town or county. There was the question of the enfranchisement of women, and a multitude of other matters connected with the exercise of the vote and with the registration law, any one of which the Government might well have included in a Bill of this kind. For some reason, however, which they had never heard, all these questions were put on one side as if unworthy of attention, although in the opinion of some of those most experienced in electoral matters they were of much greater importance than the one which was being dealt with. He would like to have heard the views of some of the hon. Members opposite who had had great experience in registration and electioneering, and their criticisms on the machinery of the Bill. They would, no doubt, be prepared to accept the principle that the plural voter was to be interfered with, but he did not believe many of them would be found to justify by speech and argument the particular way in which the Government proposed to carry out that policy. He did not think it possible to exaggerate the injustice of the Bill in that for the first time it imposed a serious duty on the man who possessed two votes without imposing any upon the man who had only one vote. The man who had one vote obtained it as a matter of course, but the man with two votes would have to go through an elaborate procedure or run the risk of being disfranchised altogether. They had asked repeatedly what justification there was for this and had had no answer; they had asked repeatedly why the object could not have been obtained by holding all elections on one day, or by an enactment making it illegal for the man to vote more than once. The Government had for some reason chosen another method, and not a single word of justification had been offered. It was an extraordinary thing, too, that the Government had offered no indication of the effect the Bill would have. The question of the University vote had been dealt with, and the Member for the City of London showed the other day what the effect would be on the City of London. In addition there were county divisions in which there were 4,500 pluralist voters of whom 2,500 were retired artisans or mechanics. Surely the House ought to have had some information as to what the probable effect of the Bill would be upon such constituencies as those. If the effect was that which it sought to have, the prevention of a pluralist voter voting except in the constituency in which he selected, it would increase the injustice that now existed, and to select this particular anomaly to deal with was to make far greater than they were now those great anomalies of which the Opposition complained and which they said disturbed the present electoral system of the country. The Bill proposed to do two or three remarkable things in a remarkable way He could not understand why the Government thought it necessary in this Bill for the first time to insist that the clerks should mark in the lists the pluralist voters and to refuse to do what, he thought, they were bound to do, namely, place on the shoulders of the authorities the duty of informing the voters that they were pluralists. For the first time the Government were imposing on the voter a risk of fine and imprisonment for no other reason than that he had two or more qualifications and that he had failed to make a selection. The principle of selection was new and had never been justified. The scheme of the Bill left the powers of the revising barristers in the position in which they now were, and left the primary duty of the overseer of putting every elector in his division on the register as it was, while it imposed on the elector who had more than one qualification the risk of being put on the register without his knowledge, and in the end finding that he either lost his vote altogether or ran very great risks. It was true that at the last moment the Government accepted two Amendments which would have a great effect on the operation of the Bill. The proposal of the hon. Member for the Barnard Castle Division would materially affect the working of the Bill. Although he was glad that that Amendment had been accepted, he was surprised that the Government should have found it right and necessary to accept it when there were opposed to it the identical arguments which they had adduced the day before against the Amendments proposed by the Opposition. But that Amendment certainly mitigated some of the evils of the Bill. The other Amendment placing the powers of prosecuting in the hands of the Attorney-General also would have a good effect. The First Commissioner of Works had just said, with great public spirit, that the Government would take the responsibility for the successful working of the measure. The right hon. Gentleman was very good. He had, however, placed upon the shoulders of the Government a duty which they could not perform. They were not going to carry out this measure. He had always advocated that the Government should become responsible, and that these duties, in common fairness and justice to the electors, should be carried out by Government officials. In all probability the Bill would be found not only difficult to work but absolutely unworkable, and a great injustice would be done to those who only claimed to vote in the elections of the country. He would have been perfectly content to vote for the simple rejection of the Bill without any Amendment at all. On the other hand there was nothing in his hon. friend's Amendment which he was not prepared to support. He agreed with the views laid down, which roughly amounted to this: that if they were going to deal with this great question of electoral reform at all they should deal with it as a whole. He admitted the force of the Government's answer that they could not deal with redistribution at the beginning of their term of office. That was a complete answer to the suggestion that they should do it now, but it was no answer to the argument that the Government had no right to deal with the question in this trumpery fashion, treating only a section of the question and doing it in a manner which would seriously increase what was the greatest difficulty at the present time. He would have been perfectly content to vote for the simple rejection of this Bill, which he believed to be unjust. He believed that in its present form there was no demand for it, and that its machinery would prove unworkable. By this Bill they would be for the first time exposing people who had the right to vote to a risk to which they had never before been exposed, and to which Parliament had no right to expose them. On all these grounds he supported the Amendment, because it appeared to offer the simplest method of recording their opinion that the Bill was unjust and unnecessary.

SIR BRAMPTON GURDON (Norfolk, N.) said he had never been able to understand why the principle of the Bill was opposed by hon. Members opposite. It seemed to him that an unsophisticated foreigner, ignorant of our ways of Parliamentary life, would imagine that a measure which introduced no new principle, which exactly followed the lines of the British Constitution, and which merely tried to remove anomalies and exceptional hardships, would be justly regarded as an innocent reform and would be gladly welcomed by all Parties. There was no subject upon which there was greater misconception than that of plural voting. To hear hon. Members opposite one would think our system was really a vote for property, that a man got a vote for every 100 acres, or that he voted according to the amount of taxation he paid. There was no relation whatever between representation and taxation. He was bound to say he believed that those hon. Members who said it would be a great advantage to the Liberal Party to do away with the plural voting would be disappointed. They would gain a great deal more advantage if they were to get a measure of redistribution—he meant a fair measure of redistribution and not one drawn on the lines of the measure laid before the House last year. The present voting system was unjust all round. Let them take the injustice to the rich man—a great territorial man, for instance, who probably represented his county in Parliament or who might be the Lord-Lieutenant, or who held the more responsible post of master of foxhounds, or was chairman of the county council—a man owning perhaps 20,000 or 30,000 acres of land which happened to be within the same division. Such a man would have only one vote. On the other hand, his neighbour might be a miserable little Radical, a Pro-Boer, a Home Ruler, and a Little Englander; and he with his twenty acres (ten on one side of the boundary and ten on the other) would receive two votes. Such a system was hardly fair. A man might own great factories in Norwich, or in fact own the whole city, but he would only receive one vote, whilst in another borough, that of Yarmouth, if a man happened to be a freeholder and an occupier he stood to receive two, or perhaps three, votes. The real idea of the Constitution was that a man received a vote because he was a man and for no other reason. Another injustice which had been spoken of was the difference between rural and urban voting. They were told that borough freeholders were generally Liberal and therefore the Government would lose by their abolition. Nevertheless, it was an injustice, and he for one would wish to see the injustice removed. The objection to plural voting had become stronger since the passing of the Corrupt Practices Act of 1885. It had been suggested that the elections should all take place in one day, because if that were done the difficulty would be met. This, however, was an error, because, although it would undoubtedly affect the voter who had to come from a long distance, it would not affect the man who could travel from London into the suburbs, for instance, in his motor car. He personally felt regret that the Bill did not embody the principle of residential suffrage. By having residential voting they would very much simplify the register. Every man would then have a vote, and instead of having a disfranchising measure they would have had a great enfranchising measure. He could not say what would happen to the Bill in another place, but he hoped that if the Government found it necessary to introduce another measure on the subject next year it would be a strong Bill involving the principle of residential voting.

SIR JOHN KENNAWAY (Devonshire, Honiton) congratulated the hon. Gentleman opposite on having made the best defence of the Bill so far, but he had not said anything to show why the Bill should have been brought in at the present time. Members had been brought back to the House at great inconvenience at a time when they would like to be among their constituents on the plea that it was for the sake of great public policy. Yet all they were doing was simply wasting time. Instead of bringing forward subjects of practical interest, such as the relations of this country and the colonies, South Africn policy, and Naval policy, the Government had relegated the House to the discussion of a Bill which was of no practical use or benefit. This Bill, in the words of an hon. Gentleman opposite, was not promoted to remove an anomaly or obtain an equality, but merely to injure political opponents. The Government was making use of its opportunities to strengthen its position, but there seemed in this measure, as in others, a vindictiveness towards opponents of which they had a right to complain. This attitude on the part of the Government was illustrated in the proceedings on the Land Tenure Bill, which, but for the criticism to which it was subjected, would have effected a revolution in agricultural matters to the detriment of both landlord and tenant; and on the Education Bill, which according to the right hon. Gentleman the President of the Board of Trade had the avowed object of putting an end to clericalism. That showed the vindictive and the unfair use to which the Government were putting their majority. The object of a Reform Bill should be to enfranchise classes or individuals, but this was a disfranchising Bill. They were not only disfranchising property, but education and intelligence. No effort was made to remove the greater injustice which lay in the fact that a man in a small borough had twenty or thirty times the political power of a man in a larger constituency. And upon whom did the disability imposed by this Bill fall? Mostly upon the freeholders of the country, who had been the backbone of the English constitution in times past. There was another point of some delicacy. They had at present Unionists on one side of politics and Radicals on the other, but how long was that going to last? The hon. Member for Merthyr Tydvil stated that at Huddersfield there were 5,000 men who showed by their votes that they cared for none of those things. The questions on which those men recorded their votes were Socialism, woman enfranchisement, and social reform, to the exclusion of everything else. They must face the fact that a new power had come into existence, and the object of that power was to overturn our existing social system, and to substitute one in which the individual was suppressed and the State was to do everything. When the struggle over that issue came—if it did come—would not Ministerialists who were supporting this Bill feel that they had deprived themselves, in the fight against those proposals, of the assistance of some of the best defenders of property and of individual exertion, and in doing so had to a large extent injured their own interests?

*MR. MONTAGU (Cambridgeshire, Chesterton) said that once again the right hon. Gentleman the Member for South Dublin had seen what he declared to be a new record in his Parliamentary experience, and had stated that he had never listened to a speech like that which had been delivered by the First Commissioner of Works. They were getting so accustomed to hear from the right hon. Gentleman that he had never before been so surprised or shocked that they were fast becoming to believe that it was not really the iniquity of the Government that was upsetting him, but the fact that his innocent nature rendered him liable to upheavals of that kind. The complaint made against this Bill was that it had been very much amended on Report. His recollection was that the Bill had been amended in order to meet exceptions put forward by the Opposition, who were so anxious to protect the interests of the absent-minded elector who might forget where, when, for whom, and for what purpose he had voted or even that he had voted at all. He did not believe this absent-minded elector existed, except as a figment in the brains of the Members of the Opposition, which figment was responsible for the large number of Amendments put down upon the Report stage. This measure had been called all sort of names. The First Commissioner of Works had said that it was a Bill dealing solely with the machinery by means of which our elections were now carried out. The Opposition on the other had said it was a disfranchising Bill. That term had been used in a sense of which this measure did not permit, for it did not prevent a single man now qualified as an elector from continuing to be an elector. It was true that it deprived the plural voter of all votes except one, but that could not, strictly speaking, be called disfranchising, because it left the man a voter. But, granted for the sake of argument, it was a disfranchising measure so far as it deprived a man of some of his votes. Surely, on the other hand, it was an enfranchising measure, because it made the single voter more weighty and more influential in the elections which took place. Therefore the Members of the Opposition might take consolation from the fact that at any rate this measure enfranchised in equal proportion to the disfranchisement which it caused. They were told that the Bill was objectionable because it did not enfranchise women, did not embody the principle of one vote one value, and several other things. They might as well vote against a Bill dealing with primary education because it did not deal with secondary education. It must obviously be conceded by hon. Gentlemen opposite that if they were to have one vote one value the adoption of the principle of one man one vote was a necessary prelude, and since they could not do everything at once they had better decide what they would do now, and afterwards consider what they would do in regard to other matters. The right hon. Member for South Dublin had asked—Why not have all the elections on one day? That might be a desirable reform, but the intention of this Bill was that a man should not vote more than once. If all elections were on the same day that would only prevent a certain number from voting twice. He knew a gentleman who at last election voted in Cambridgeshire and Glamorganshire. The right hon. Gentleman the Member for South Dublin had also asked—Why not prevent a man from voting twice in one year? That would take the value from a by-election as an indication of the opinion of the country, because the electorate would be different at the by-election from that at the general election, and it would be a serious alteration in the electoral constitution of the country. Hon. Members opposite had continually said that this Bill was aimed solely at the remnant of the Conservative Party in the country. Hon. Members opposite were always arrogating to themselves all the virtues that existed, and leaving to Liberals simply the possession of those vices which at the moment they did not desire to use themselves. It would be easy to answer the assertion that this Bill was aimed at the Conservative Party by asking what were the motives which actuated hon. Members in their violent opposition to it? Would they object to this Bill if they believed that every plural voter was a Liberal? Were Liberals precluded from believing that it was because hon. Members opposite supposed that plural voters were Conservative that they were so eager in their defence of plural voting? He suggested that in the few hours that remained for the discussion of the Bill they should confine themselves to its merits, instead of attributing political motives to those who defended it. The Liberal and Conservative ideas of franchise differed radically. Conservatives desired to see a man's interests represented. Liberals desired to see the man himself represented and this was the *raison d'être* of the Bill. As to University representation, he attached enormous importance to the opinion of those unselfish and self-denying men who laboured so long and so lovingly in the great Universities of the country. He confessed that it was a matter of some satisfaction to him that they should be directly represented in this House. What value there was in University representation was preserved rather than injured by this Bill. So far from its disfranchising education, intelligence and knowledge, the Bill would probably tend to limit the voters in University elections to those who were interested in the management and work of the University.

*SIR PHILIP MAGNUS (London University) said he could not take the view of the right hon. Gentleman in charge of the Bill that the Amendment now before the House was evasive. More evasive were the arguments brought forward in reply to those of the mover and seconder of the Amendment. He fully recognised the force of the arguments which the right hon. Gentleman generally introduced into his speeches, but it seemed to him that this evening he had effectually evaded the arguments stated by the Opposition. If any apology were needed for supporting the Amendment it might be found in the circumstances under which the Bill had been discussed. It was introduced under what was called the ten minutes rule, which allowed the right hon. Gentleman in charge of the measure to make a speech to which only one speech was made in reply. Ten or twelve days afterwards, on May 14th, one day, and one day only, was allowed for the Second Reading of the Bill. It was true, six days were allowed for the consideration of the Bill in Committee, but why was it necessary to allow so long a time for that stage? It was simply because hon. Members found that the machinery by which it was proposed to give effect to the measure was unworkable and complicated. It was necessary, therefore, to introduce all kinds of Amendments in order to make the measure workable. It showed a great deal of patriotism on the part of the Opposition that whilst they opposed the Bill on the Second Reading, believing it to be thoroughly bad they devoted hour after hour to introducing Amendments in Committee and on Report with the view of making it a workable measure There could be no doubt that the Bill altered the size of nearly every constituency in the country, and at the same time it changed the conditions under which the electoral franchise had hitherto been exercised. He did not think a Bill that did that could be regarded as an unimportant measure. If the prevention of plural voting were the sole object which the framers of the Bill had in view, it seemed to him that the desired result might have been brought about by less complicated machinery. While he admitted that there were some objections to all elections being held on the same day, he thought if that had been adopted as a means of preventing plural voting the number of persons who would have exercised the plural vote would have been infinitesimally small and not worth considering. There were other ways in which plural voting might have been prevented. He should have thought that a declaration at the time the vote was given that the elector had not voted in any other constituency would have required simpler machinery than that involved in the Bill. The machinery set up would produce a large amount of friction. Some of the effects produced by the Bill if it became law would be very different from those intended by its framers. He could not help thinking that one effect of the measure would be that many electors would be unable to vote even once, and for that reason it had been called a disfranchising Bill. He was quite certain that was not the intention of those who brought in the Bill. It had been said on the Opposition side of the House that there was a subtle intention on the part of the framers of the Bill that it should have the effect of injuring the Conservative Party. He did not believe that the great majority of plural voters were Unionist, but even if they were he was personally unwilling to ascribe any such motive to the Government. It seemed to him that it would be quite unworthy of a strong Party and a strong Government to condescend to obtain an advantage over their opponents in that manner. He would not believe that they intended to do so. At the same time he pointed out that although he did not ascribe to them any such motive, the effect of the Bill in his opinion would be to disfranchise a large number of electors, and for that reason alone it ought to be opposed. He would also point out that the effect of the Bill would be to penalise the plural voter as such. It was no fault of his that he was a plural voter. Nearly every graduate of a University was a plural voter. He could not see why an elector who might have saved £200 or £300 and invested that sum in rural property away from his own home should be placed in a worse position than the man who had invested his money in Consols; but the one was a single voter and the other a plural voter, and the latter would be subject to all the inconveniences and penalties which attached to the plural voter under this Bill. The last speaker had made the unfortunate admission that the Bill would add to the value of the votes of the existing electors. If so, that showed that this was a very important measure affecting the entire electoral system of the country; and for that reason it ought to have received more consideration than it had done. A great deal had been heard in the course of the discussions in regard to the anomalies of our electoral system. He was quite willing to admit that there were anomalies. It was an anomaly that an elector possessing a small freehold in a distant part of the country, far removed from the place of his residence, where he had no special interest, should have a vote for that district, and by means of his vote be able, possibly to influence the election. That anomaly was said by the Prime Minister on the Second Reading of the Bill to be a grievance, that it vitiated and thwarted the very conditions of Parliamentary representation. He was quite prepared to admit that this might be so, but he could not concede that this Bill removed the grievance. All that the Bill did was to give such an elector the choice of voting at his place of residence or in the constituency in which he had no special interest. He should have thought that it would have been very much simpler to have introduced some such scheme as had been proposed, to restrict the voting to the place of residence. He contended that the Bill with all its complicated machinery failed to effect the object the right hon. Gentleman had in view. Another reason why he supported the Amendment was the uncompromising attitude of the Government in refusing to accept any limitation to the general principle of the Bill. Nothing could exceed the courtesy with which the Minister in charge of the Bill had risen to reply to all the arguments offered against it from the Opposition side of the House. At the same time the right hon. Gentleman and the Government had met every suggestion for any Amendment of the principle of the Bill with an absolute *non possumus.* They had accepted Amendments, but only on a few details. The Government undoubtedly possessed a giant's strength, and it seemed to him that in this Bill, and in their other measures, they were determined to show that they would use their strength after the manner of a giant. In his opinion two cases for exceptional treatment had been made out. One was that of an elector who resided in one place and carried on his business in a neighbouring city or borough. In that case certainly his interests were divided, and it was very difficult for such an elector to say whether he would vote in his place of residence or in the city where he carried on his business. The City of London was a case in point, and if the Bill became law, that constituency would be limited to caretakers and office-keepers. The other case was that of University representation. He might say that unless the University representation were conceded in addition to the ordinary representation—if the vote given to a University graduate were not regarded as an additional vote, conferred on him as a privilege on account of the general intelligence of the constituency, it would be of no use whatever. The arguments in favour of University representation had been fully brought before the House by the representatives of Oxford, Cambridge, Glasgow and London, and he would not now add to them. But he would make one final remark. The theory seemed to have been adopted by hon. Members opposite that nothing could be said in favour of plural voting; but from a scientific and logical point of view it was certainly capable of being defended. He would have thought that in a democratic Assembly such as this, the authority of so distintinguished a Liberal as the late John Stuart Mill would have carried with it some weight. He would read a single passage only from Mill's work on Representative Government, with which nearly every hon. Member was no doubt conversant. Mill said—

> "A person may have a double vote by other means than that of tendering two votes at the same hustings; he may have a vote in each of two different constituencies; and though this exceptional privilege at present belongs rather to superiority of means than of intelligence, I would not abolish it where it exists, since until a truer test of education is adopted it would be unwise to dispense with even so imperfect a one as is afforded by pecuniary circumstances. Means might be found of giving a further extension to the privilege, which would connect it in a more direct manner with superior education. In any future Reform Bill which lowers the pecuniary conditions of the suffrage, it might be a wise provision to allow all graduates of Universities, all persons who had passed creditably through the higher schools, all members of the liberal professions, and

perhaps some others, to be registered specifically in those characters, and to give their votes as such in any constituency in which they chose to register, retaining, in addition, their votes as simple citizens in the localities in which they reside."

He had ventured to read that quotation because he thought the view of so eminent a politician might have some weight with hon. Members on both sides of the House. He thought it was very doubtful whether the mover of this Resolution would be able to carry with him all the Members on the Ministerial side of the House; but he found considerable difficulty in realising what reasons there might be for refusing, at any rate, to adopt the suggestion made that the consideration of a reform in our electoral system should be postponed until it was associated with a more comprehensive measure than the present. He could not help thinking that it was a most mistaken and unscientific way of dealing with electoral reforms, to tinker with the constitution by bringing forward such a Bill as this. The answer given by the right hon. Gentleman to the arguments brought forward were not worthy of that logical ability which he had shown in his previous speeches. The right hon. Gentleman said he was desirous of showing the greatest possible consideration to the plural voter, and for that reason he was anxious to give him a long time to accustom himself to the novel machinery of the Bill. If that was the case why did he refuse the Amendment to the effect that the operation of the Bill should be postponed until a more comprehensive measure had been introduced? There was no reason why this Bill should come into operation until 1907, and if its operation were postponed until they could consider the other anomalies of our electoral system he had no doubt whatever that there would be very much less objection on the part of many hon. Members to accept some such proposal as that contained in the measure, provided of course that exceptions of the kind suggested were made. He was unable to appreciate the arguments in favour of the measure, and he ventured to think they had not been fully placed before the House. He was compelled to fall back upon another reason suggested by the late John Stuart Mill, who pointed out—

"That those who are supreme over everything, those who cannot be resisted, are usually far too well satisfied with their opinions to be willing to change them or to listen without impatience to anyone who tells them that they are wrong."

On these grounds he supported the Amendment.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean) said the hon. Member had quoted a passage in John Stuart Mill's "Representative Government" which ought to be quoted with the reserve that it was written when Mill was an official at the India Office, and had not turned his attention to the franchise question, and that it was contradicted by what he said and wrote during the last fourteen years of his life. He had to thank the hon. Member for the support he gave to his proposal that this Bill should be altered into a residential Bill, because the one objection to that proposal from his point of view might be that there was no such thing as residence in a University in the franchise sense of the term, and that the University resident was resident in the corporeal structure of a college building but not in the University, which was an incorporeal thing. That was the objection the hon. Member might have had, and as he thought his Amendment would have destroyed the constituency of the hon. Member it was extremely kind of him to give it his support. The First Commissioner of Works had very naturally rolled up the hon. Baronet the Member for Wandsworth with his Party. The hon. Baronet might have stirred up his Party to propose a redistribution scheme, but the moment they proposed it the hon. Baronet came out as its strongest opponent. He was not sure that his support might not have been got by the sacrifice of Canterbury.

*SIR HENRY KIMBER remarked that his scheme involved the sacrifice of no constituency, but the enlargement of those, including Canterbury, that needed enlargement.

*SIR CHARLES DILKE said the fate of Canterbury hung for a long time in the balance. The hon Baronet used words following the right hon. Gentleman the Member for South Dublin, and implied that from a redistribution point of view matters were rather worsened than bettered by this Bill. He had ventured to say "No" when the right hon. Gentleman the Member for South Dublin said so, not only upon the ground alluded to by the Member for the Chesterton division of Cambridgeshire, that by cutting off the plural voters—by cutting off the people who had ten, twenty, or thirty votes—they increased potentially the power of the people who remained, but because this Bill would directly reduce in suburban and other constituencies the anomalies which existed at the present time. These suburban constituencies had increased and were increasing, and therefore, by taking off some thousands of voters they were decreasing and not increasing the anomalies now existing. When the hon. Baronet raised the question of redistribution, he was afraid some of them used to treat his views with disrespect, because they used to assure him that he would never get his large redistribution scheme, whatever declarations might have been made at a garden party at Blenheim. That prophecy had become true, and in the last considerable debate on Redistribution he would remember that they told him that they were convinced by their experience that the next Redistribution Bill would be upon a simpler franchise. When Parliament made up its mind to deal with this question, it would have to deal with it by a simple single franchise on a large scale and by agreement between the two Parties. He did not think that his hon. friend now believed he was going to get redistribution in any other way, although many hon. Members shared the hon. Baronet's views as to the desirability of redistribution. The hon. Baronet was under a delusion as to the nature of the franchise which he thought this Bill attacked. He had stated that 3,000,000 odd electors voted for the Conservative Party at the last election, and that only 2,000,000 odd voted for the Liberal and Labour Parties; that the Conservative Members each represented 17,000 voters and the Liberal and Labour Members 7,000 each; and he claimed that the Conservative Party were entitled to more Members. The hon. Baronet called these voters citizens, but how many had been counted over and over again? The hon. Baronet had added up the votes cast and had called them citizens. They were not citizens at all. When one person voted at the Kensington Town Hall, once for London, and once for the county of Middlesex, was he two citizens? The argument of the hon. Baronet was one of the absurdities which the plural voting system of this country brought before them. The plural voting system which John Stuart Mill at one time advocated, but which he eventually deprecated, was entirely different from the system which now existed; and the special University representation of which they heard just now was entirely different from that which now existed and that which was supported by John Stuart Mill. The hon. Baronet had based his demand upon the fact that these plural voters were freeholders, and that therefore they should have a county vote. But the great majority of the plural voters were not freeholders, and had not the interest the hon. Baronet claimed for them, and the vast number of those who had an outside-county interest did not possess a vote in regard to it. This Bill was intended to kill, and would diminish, an abuse, in which he included the University franchise—an abuse which was almost entirely confined to this country; which had been swept away in every country in which it had existed; and which exceeded in its present shape anything that ever existed in any other country The plan of the Bill was a costly one. He disliked exceedingly the cost involved, but that cost was caused in part by the complexity of our franchises and in part by his right hon. friend's tenderness to the Party opposite. His particular objection to the scheme was that it was a costly scheme. It would admittedly increase expenditure until in the course of years the law had settled down and worked smoothly. He had never been able to understand the ground on which his right hon. friend had rejected the modified scheme which he (Sir Charles) proposed, and which received so much support from the Ministerial side of the House. He had not met anybody on that side of the House except his right hon. friend who was in favour of the particular scheme of the Bill. The scheme which he thought would be preferable to that of the Bill was one which would not throw a choice upon the voter, but would work automatically in the case of residence, except where a man had more than one residence, or no residence, in any constituency in which he had a qualification. His scheme was that the residence should be taken as the automatic test by which a man should vote. Where he had more than one residence, or no residence, in the constituency the machinery of this Bill would work. The Bill would enormously increase the cost of inquiries that would have to be made, and all the Amendments which had been put into the Bill with so much skill would only tend to increase cost and trouble. Before he sat down he would like to refer to the hard case of the county clerks, and in this connection he hoped, and he was sure, his right hon. friend would give personal attention to the Orders in Council that would be made under the Bill. The county clerks would have very difficult and very delicate duties thrust upon them, some of which they might not be able to discharge. It was a very curious thing that the House was not familiar with the extraordinary intricacies of the law of registration. The hon. Member who spoke so brilliantly in seconding the Motion alluded to the seventeen franchises we possessed, but he would defy the hon. Member to name the whole of the seventeen. One was an Irish franchise, unknown even to hon. Members representing Ireland. He believed the only man who knew of it was Mr. Maurice Healy, and that was the seventeenth of the franchises of this country. The difficulties of these franchises faced us at every turn, and we should never get rid of them until Parliament made up its mind to have a simple single franchise which would lead to the large redistribution which this Amendment sought. It seemed quite easy for the House on Report to enact, as it did enact, that notice should be taken, as though they were plural voters, of all the persons on the register in whose case Column 2 differed from Column 4. It was not in itself an important thing perhaps. It was to diminish the number of voters to be counted for the purposes of the maximum scale. Although in that case it did not matter very much, it would be of importance soon on account of the tendency in changes of our law to throw more and more the responsibility for the register upon the county clerk. They were throwing upon him duties which no one could adequately perform, and which were likely to drive that poor man to distraction. He did not know if hon. Members thought there was any tendency to exaggerate these difficulties. He had spoken very much within the mark in every case. It was thought to simplify the franchise if difference could be detected between the second and fourth columns; but apart from the fact that a man called his place by one name and the overseers called it by another in every county constituency there were towns the suburbs of which were postally different from the ordinary description, and the second column had to contain the postal address. The only reason that these details were of interest was because they illustrated the bog and morass into which they were plunged through not making up their minds and having a simple franchise.

MR. BONAR LAW (Camberwell, Dulwich) said that although the right hon. Gentleman who had just spoken had advocated principles with which the Opposition did not agree, he had in the main been much on their side, because his speech had been directed against the practicability of the Bill. The constituency which he (Mr. Bonar Law) represented contained many plural voters; but he did not think that was the reason for the strong feeling he had entertained towards the Bill from the beginning on the ground of its unfairness. The right hon. Gentleman in charge of the Bill had, in its later stages, shown some sensitiveness under the accusation that it had been introduced for the sake of weakening political opponents. He had even gone the length of saying that the charge was discourteous. In any case they could only judge of the intentions of the Government by the effect of what they had done. He did not wish to be offensive to the right hon. Gentleman or anybody else, but he found it difficult to say what he thought about this Bill in language as temperate as he would like to employ. The spirit in which he wished to deal with the right hon. Gentleman was illustrated by Lord Granville's anecdote of Count D'Orsay's visit to Saunders and Ottley, the booksellers. Count D'Orsay broke out into language full of brimstone, whereupon a gentleman, coming forward in a dignified manner from behind a desk, said he could not stand such language and would return the Count's subscription. Count D'Orsay said, "I did not mean anything personal; if you are Saunders, confound Ottley; if you are Ottley, confound Saunders." That was exactly the spirit in which he wished to deal with the right hon. Gentleman. He said deliberately he could see no justification for this Bill if it was not intended to strengthen the Party to which the right hon. Gentleman belonged and to weaken their opponents. He was bound to look at the measure from two points of view, one regarding the principle on which it was based, the other regarding the machinery by which it was to be carried out. From either point of view the charge he had made against the Bill was abundantly proved by its nature. He would take the case of a man who worked in one constituency and lived in another, and paid rates in both, and whose identification with each was so strongly marked that it would be impossible to say with which it was the closer. Would anybody, looking at his possession of the franchise in a broad-minded way and apart from Party interests, not say that, although this was an anomaly, it was one which was fair in itself, and which ought not to be removed until he had made an attempt to get the whole electoral system on to a basis fair according to the principle upon which he was proceeding? What was the principle on which this Bill was based? It implied that the vote of one man ought to have as far as possible approximately the same influence as the vote of any other. The right hon. Gentleman was, however, face to face with an anomaly far greater than that with which he dealt in the Bill. Without a real examination into the subject it was impossible to say that the comparatively small anomaly which he was removing did not itself temper the injustice of the greater anomaly which he was leaving altogether on one side. The Government left the big anomaly alone and dealt with the small one; and the fact that the result of dealing with the small one was certain to be favourable to their Party, while the result of dealing with the other was uncertain, was in itself proof that this was a gerrymandering Bill and nothing else. If, as he believed, the principle of the Bill was altogether unfair, the machinery by which it was proposed to carry out that principle was not only palpably but grotesquely and absurdly unfair. The principle that taxation and representation should go together used to be the principle of the Liberal Party so long as they looked for support from possessors of property. Now that they looked for support, in competition with Members below the gangway, from those who did not possess property, the principle was entirely abandoned. The Government had laid down in this Bill, for the first time in political history, the new principle that possession of property was to be to some extent a disqualification for the right of exercising the franchise. If the Bill became law, every man who had only one qualification would get his vote as a matter of course, without doing anything to secure it. Every man with two votes could only use one after having substantiated a claim for it. In the one case the vote would be a matter of right; in the other a matter of claim. That was obviously unfair. It had been proved over and over again to be even more unfair in practice than in theory. Everyone who had spoken on the subject had admitted that if the claiming of the franchise depended on an individual himself, a very large proportion of the voters of this country would never claim the franchise at all. Everyone, except those who sat on the Treasury Bench, had admitted that the Bill was clumsy and unworkable, and left the door open to every kind of fraud in connection with voting. The professed object of the Government was to prevent an elector voting more than once; their real object was to prevent a man having more than one vote from voting at all. How had the Bill been defended against Amendments? The usual answer of the right hon. Gentleman, when he had no argument wherewith to meet an Amendment, was, "To accept this would be contrary to the principle of selection." And what was the principle? The right hon. Gentleman said on one occasion that a man who did not take the trouble to claim a vote was not entitled to have it. If that was a good principle, why should it not be applied all round, to the man who had only one qualification as well as to the man who had several? But the possession of two votes was considered a disqualification for the exercise of the franchise, and the possession of property was to be discouraged. The President of the Board of Trade, in speaking upon the Education Bill, said that clericalism was the enemy. The Government had shown by their actions, more important than their speeches, that in their eyes the possessor of property was their enemy.

MR. J. WARD pointed out that the speeches made by opponents to the Bill absolutely and entirely contradicted each other. The hon. Baronet the Member for Wandsworth made against the Government with regard to their motives in bringing this subject forward a similar accusation to that just made by the hon. Member for Dulwich, and earlier in the debate by the hon. and learned Member for the Walton Division of Liverpool. Then there were speeches by Members of the Opposition which absolutely repudiated that accusation as being discourteous and unfair, and admitted that there might be something in the principle of abolishing plural voters, but asserted that the method proposed by the Bill was not the way in which it should be done. He had no doubt that whatever Bill was brought forward to abolish plural voting there would be very considerable difficulty in devising the machinery to carry out the principle. But on the Third Reading of the measure it was not the machinery which should interest them, but the underlying principles of the Bill itself. The question was, were they in favour of one citizen having sometimes two or three, or even a dozen times, as much power in electing representatives to Parliament as another? If they disagreed on that he could understand the opposition of hon. Gentlemen opposite. He could understand the opposition to the principle of one voter one vote, which, he confessed in a clumsy sort of way, was attempted by this measure. He was of the opinion of the right hon. Baronet the Member for the Forest of Dean that there was a much simpler way of doing the business than that which the Bill proposed, but he did not think the First Commissioner of Works could have avoided the sort of criticism that was directed against him now, even if he had employed other methods. As a matter of fact, he and the Opposition differed in principle upon this Bill. He had heard a formula trotted out a dozen times that afternoon, which stated that every vote should have the same value. What the meaning of it was he did not know. He believed that the hon. Baronet the Member for Wandsworth, when he used that formula, meant that there should be a sort of automatic method of making constituencies as nearly equal as possible. But then it was quite clear that other Members meant nothing of the kind, and that what they meant was that in proportion to the wealth of an individual —in proportion to his material position and to the taxation that he paid to the State he should be given the power to elect representatives. He ventured to suggest that the working man, considering his opportunities and the amount of resource which he had at his disposal, paid as high a percentage of the rates and taxes of the country as any hon. Member in the House. But this measure ought to be discussed on higher principles than that. The question was whether one citizen should have a greater influence in the election of Members to Parliament than another, irrespective of their position in life or their material possessions. He did not agree with anything of the sort. They would find very poor men, who had to work at exhausting bodily labour, with quite as much intelligence as many of the people who boasted of their wealth. They could not make wealth or position a qualification in any shape or form. They had been told that they should not adopt this measure, because there were other and larger anomalies, such as University representation and the glaring difference in the number of electors in many constituencies. There was Wandsworth, probably the largest constituency in the county, where the minority had never been represented in the House of Commons for the last twenty years. The minority in Wandsworth were probably as numerous as many constituencies which were represented. Because the Members of the Opposition were able to point to three or four other anomalies that was no reason why the House should not attack the anomaly of plural voting. It was a very peculiar argument to assert that they ought not to attack one anomaly without attacking them all. If they did not tackle anomalies one at a time they would never abolish any of them. He thought the Government were doing the right thing in this measure. He desired that every adult should be declared eligible to have a voice in the affairs of the nation, and he would like to see all elections on one day. He also desired to see that all public-houses should be closed on the election day, in order that the verdict of the country might be more in accordance with the intelligent and sober opinion of the people; but, because the Government could not attach those things to this Bill that was no reason why the House should not adopt what was now proposed as the minimum demand. He hoped every Labour Member and every democrat in the House would support the Third Reading of this Bill.

*MR. THORNTON (Clapham) said his hon. friend's Motion was deserving of sympathy and support. He thought that as the Government limited its proposals to preventing plural voting and refused to deal at all with the question of one vote one value, Unionists were justified in calling a halt before they went further down the slippery slope of redistribution upon which both sides of the House had entered. He still maintained that the proposals in this Bill would probably have the effect of disfranchising a number of electors, and causing injustice to those who were concerned in guiding the constituencies, for the cost of elections would be enormously increased. That was contrary to the principles of those who had brought in the Bill, their desire always having been to cheapen elections. Taking these facts together he was justified in maintaining that the Liberal Party had not logically carried out their own principles in the way the right hon. Baronet the Member for the Forest of Dean believed they ought to have done. They had endeavoured to clear their flanks and drive away what they believed to be hostile bodies of troops, but in doing so they had not carried out the ideas which they as a Party had hitherto entertained. In his judgment there was a hill in front of them, and on the other side a valley filled up with rugged country through which they would have to pass. In the preface to "Rogers on Elections" he found the following passage which put this part of his argument very clearly—

> "Until a Consolidation Act is passed defining the different franchises which exist, and laying down an uniform system of registration, both things within the scope of one, or perhaps two moderately short statutes, the difficulty to those to whom the subject is new, of obtaining a clear view of the varieties of franchises, and of the machinery provided for registration, will continue to be considerable."

That was the opinion of an expert on this question. It had been said in the course of these debates that this was the first occasion on which a disfranchising measure had been placed before the British Parliament for many years. There was certainly a precedent in the reign of Henry VI. [Laughter.] Hon. Members opposite laughed, but he thought this was rather pertinent, because our whole system had depended greatly upon the 40s. freeholder. According to Rogers, Henry IV. in order to popularise his dynasty greatly increased the number of voters who "probably belonged to the freeholders at large, independently of the value of their freeholds." But in 1430, in the reign of Henry VI., an Act was passed restricting the exercise of the franchise, and thereby many people must have been disfranchised. Rogers said—

> "That Statute, after reciting that elections have been made by very great, outrageous, and excessive numbers of people, of small substance, and of no value, whereof every of them pretended a voice equivalent with the most worthy knights and esquires, provided that the knights of the shires . . . shall be chosen by people having 'free land and tenements of 40s. value by the year.'"

That was equivalent to £45 of our money. Various changes had led up to the broad franchise which we enjoyed at the present moment, and he thought it would be far better to have a consolidating measure which would have in it some element of permanency instead of the partial remedy now proposed. While he would not himself presume to lay down any policy, he thought it was desirable that they should have some guide as to how far they were to go in regard to the question of redistribution. As a Cambridge man he would like to say a word on University representation. He never could believe that the Conservative Party would desert University representation. [AN HON. MEMBER: They will not do that.] Certain criticisms directed against the unwillingness or inability of our great university representatives to go before and hold their own with popular audiences were untenable. The late Sir Richard Jebb was one of the most interesting and intellectual speakers he had ever heard, and all those in the House who had come in contact with him were charmed with his utterances. It was the same with the late Mr. Leckie, who had shown himself exceptionally prominent in debates during the last Parliament. He insisted that the tendency of this Bill was gradually to destroy the representation of Oxford, Cambridge, London and the Scottish Universities, who had always returned members of which they were all proud. Surely this was an occasion when the conception of a workable redistribution scheme, such as was outlined at Blenheim in August, 1901, should be formulated by the right hon. Member for the City. It was a subject of deep regret throughout the House that the right hon. Gentleman the Member for West Birmingham who took a leading part at Blenheim owing to ill-health was not present to express opinions on a subject regarding which my knowledge was that of an expert.

*MR. VERNEY (Buckinghamshire, N.) said that the hon. Member for Clapham had spoken with sincere admiration for the representatives of the Universities who had been Members of that House. But he would remind the House that there was no class of people in the United Kingdom who were so largely represented in both Houses of Parliament as the graduates of the Universities without special representation. That was to say, the many brilliant members of Universities in the House had ample opportunities of reflecting the thought and opinion of the Universities of which they were graduates, and he did not think that form of representation was in the least likely to dwindle or disappear in the future. He could not understand how anyone who had read the Bill could have put down the Amendment in the name of the hon. Baronet the Member for Wandsworth, which ran that the sole object of the Bill was—

> "the prohibition and penalizing of a large class of His Majesty's subjects in the exercise of admitted rights and franchises."

That was not the sole or even the main object of the Bill, though it was a necessary incident of the Bill that penalties should be imposed to enforce its provisions. The hon. Baronet asked who was hurt by the present condition of things? There was an obvious answer to that. Supposing there were fifty Members who had ten votes each, while all the remainder had only one vote, would not all the latter be hurt by the plural voting given to a privileged few? Precisely the same thing happened in the constituencies. He called this an enfranchising instead of a disfranchising Bill. There were some 6,000,000 voters in the United Kingdom, and he believed between 500,000 and 600,000 plural voters. Who was hurt in that case? The 5,500,000 single voters by the privilege given to the 500,000 plural voters. That was an unanswerable argument. Every plural voter tended to disfranchise the single voter, and thereby every single voter was hurt. He himself was not altogether in love with the Bill, because he did not pretend that it was a perfect measure. But it was one step in the direction of a great reform, and therefore he would give his vote in favour of it. If it were so framed as to render a greater reform impossible he would not vote for it. A great deal had been said about taxation and representation going together. If carried out to its logical conclusion that meant that a man should have the number of votes proportioned to the amount of taxation he paid. But they knew that that was not the case at present. If A paid £100 in taxation and B paid £500, should B have five times as many votes as A? At present the number of plural votes a man had depended upon the kind of property he owned and upon the exact position of his property. If the property was at the junction of three or four counties he might have four or five votes, although that property was only worth £500 a year; while a man with property of the value of £10,000 a year in another situation might have only one vote. On the other hand, a man with large personal property in stocks and shares might have only one vote, while another with a small amount of landed property might have several votes, although the former paid a great deal more taxation than the latter. He regretted that this measure did not go further than it did, but he would support it with a clear conscience and with his whole heart.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said that the right hon. Gentleman in charge of the Bill had, in the course of his speech, instead of using arguments in favour of his measure, devoted the whole of his time to a criticism of hon. Gentlemen on the Opposition side of the House, and especially to the occupants of the front Opposition bench. The single argument the right hon. Gentleman had used in favour of the Bill was that it was an injustice for one man to have two votes and another man only one. If that was so, why did not the Liberal Party when in power bring forward long years ago a measure to remedy that alleged injustice? It was well known that Mr. Gladstone in 1892–5 and during a previous tenure of office had refused to have anything to do with such a measure. Surely it could not be a very great injustice to allow a man to have two votes, because it was the policy of the State to encourage people to invest their money in property. That had always been the policy of the Unionist Party in this country, and also in Ireland when they passed their land legislation for that country. They said that the more owners of property, and especially poor owners, there were the better for the State. In the tfifteen largest constituences in England there were 387,000 electors, while the fifteen smallest constituencies contained 48,000 in round figures. That meant that there were in the fifteen larger constituencies eight times as many electors as in the fifteen smaller, so that the voting power in the smaller constituencies—which ranged from 2,000 to 3,000 electors—was eight times the power of that in the larger constituencies. He mentioned that to show that these people were at present under an electoral injustice. A great many of them, however, had plural votes, and that tempered the injustice a little bit.

MR. SHACKLETON (Lancashire, Clitheroe): That applies to both of them.

MR. SAMUEL ROBERTS: Surely it does tend to temper the injustice. Continuing, the hon. Member gave the House three other instances—one from Ireland, one from Scotland, and one from Wales. In Ireland the constituency of East Belfast had 15,000 odd voters, while five smaller ones, including Galway and Kilkenny, which each returned a Member, only possessed a total of voters amounting to 13,856. In the case in Wales, Cardiff district had 26,000 odd voters against Montgomery Boroughs with 3,300 voters. That was to say there was a difference of eight to one. The case in Scotland was that of the Partick Division of Lanark there were 18,000 electors odd, while Wigton Burghs had 2,700 voters, a case in which there was a difference seven to one. As an old University man he protested against the attack upon University representation. He thought it was unfair to lessen that representation, especially in view of the able men that the Universities sent to this House. It so happened that at present they had those men on the Opposition side of the House, but it had not always been so. Hon. Members representing University constituencies had sat on both sides of the House. It would be very much regretted if, under this Bill, the number of University voters dwindled down to so small a number that a case could be made out for taking the representation away altogether. Under the heading of education, science, and art, the House was voting this year no less than £16,327,000. That was a very large expenditure, and, surely, such education ought to have some representation in the House. It was necesary that they should have Members who were qualified to give an opinion on educational matters. The Opposition case had been that if the Government were going to do away with plural voting, why did they not bring in a Bill simply saying it was illegal for a man to vote twice, and not a complicated Bill which would be almost impossible to work? If the right hon. Gentleman had no fear of the plural voter, why did he not bring in a simple Bill? Instead of doing so, he had laid himself open to the charge of having brought in this complicated machinery with the express purpose of making it difficult for those people to exercise the franchise at all. The Bill was brought in for the purpose of damaging the Unionist Party. Surely there were sufficient right hon. and hon. Gentleman on the Ministerial Benches without its having been necessary to bring in a Bill to reduce further the small Unionist numbers. They could have waited, surely, for one or two years, and then brought in a proper Redistribution Bill, and so dealt with the whole question. The Opposition made their protest—he did not suppose it would have any effect on the Government—and he hoped that protest would warrant the Bill being thrown out by the House of Lords.

MR. PAUL (Northampton) said the Bill had been criticised, not so much on account of its substance as on account of its form, but he had noticed that when anyone objected to the principle of a Bill they nearly always discovered that its form was the very worst that could have been selected. The Government had been blamed because they had not made it a residential Bill. He thought the principle that a man should vote where he breakfasted and slept was a sound one, and that this would in most cases be the practice which would be followed when the Bill became law. It would be difficult to lay down a residential qualification, because of the difficulty of saying where some men resided. He had met once, in Switzerland, an Irish landlord whose eight children had all been born in different foreign hotels. That man had a vote for his property in Ireland, but it would have puzzled anyone to say where his residence was. With regard to the arguments against the form of the Bill, he remembered Sir John Gorst, one of the ablest lawyers in the House, saying that any fool could get up all about the Corrupt Practices Act in one day, and he thought anybody of ordinary intelligence could get up this Bill in half a day. There was no form of study, except bad poetry, which he would not prefer to the revised statutes or even the repealed statutes, which often, however, were more amusing and interesting than the statutes at large, but he derived consolation from two sources. In the first place, he realised that this Bill was not meant for one's own amusement, but for one's general instruction. In the second place, being in favour of the principle which this Bill enunciated, he was not greatly concerned with the particular form in which it was clothed. If all Acts of Parliament were made perfectly clear and intelligible what would become of the legal profession; and if anything happened to the legal profession what would become of this House? Where would they go for the humour, the delicacy, and the eloquence which made the debates, to say the least, endurable? The hon. Baronet the junior Member for the City of London made recently a melancholy speech on the future state of the plural voter. It was an important speech, because after all it was men like the hon. Baronet who maintained the financial reputation of the City—a thing of which every Englishman was proud, whether he knew anything about finance or not. It was a most pathetic speech; nothing was more touching than the description of the condition to which the plural voter would be reduced. But much as he might sympathise with the woes of the plural voter, he could not help remembering that the obligations laid upon him must be neglected before he could arrive at his unsupportable dilemma, and that the original duty cast upon him of giving notice to the overseers had also to be discharged by that exceedingly humble person the lodger. He was astonished to hear the right hon. Member for South Dublin, one of the greatest authorities in this House on local government, complain of this obligation as if it were a thing unheard of. The plural voter might have property in half-a-dozen counties and the lodger inhabit only one room, but what difference did that make from the point of view of justice? The objections to this Bill were as to substance as well as to form, and it had been said that though it might be very well to deprive a man of a vote in a part of the country where he had no local interest, if he lived in one constituency and carried on business in another, it was hard that he should not have two votes. The hon. and gallant Member for one of the Divisions of Liverpool asked why if a man had one vote for his residence and another for his place of business, a working man should not have a vote for his house and another for the place in which he worked. Hon. Members opposite argued to the effect that a working man did not pay taxes. If hon. Members opposite told the country that at the next election, he could quite understand that in spite of their intellectual calibre their numbers here would be small. Taxation was indirect as well as direct, and every man and woman in this country who was not in the workhouse or in gaol paid taxes. The only possible inference that could be drawn from the principle that taxation and representation should go together was that there should be universal suffrage, male as well as female, totally unconnected with the possession of either real or personal property except such as everyone required in order to live. A man who smoked his pipe paid taxes. It was right for a man with property in several counties to have a vote for the county council in each county, because there were as many county councils as counties, but there was only one Parliament. Let him take his own case. He had two votes, and had he chosen to buy a vote for the University of Oxford he would have had three. Why should he have three or even two when his hon. friend the Member for Barnard Castle and the hon. Member for East Birmingham only had one? The thing was absurd. It was not a question of intelligence or capacity. The hon. Baronet the Member for the City had said that the fact of a man possessing property in a great many places was evidence that he had a great many sources of mental activity and had made good use of them. That was a dangerous argument, and he might suggest an analogy which was at least verbally relevant, that the more scattered his property the more scattered his brains.

Sir FREDERICK BANBURY: What I said was that if a man had two houses it must be taken as evidence that he had more ability and had got on in the world. I did not say anything about scattered property.

Mr. PAUL said the hon. Baronet had expressed in better language than he the same thing. The man if he were to have two votes must have houses in two constituencies. In the course of this debate reference had been made to the question of University representation. The hon. and learned Member for Liverpool had done him the honour of quoting something he had said about the inadequate character of the examinations for the degree of a bachelor of arts at Oxford. He did not deny that he might have said it, but it was not the main part of his argument, and no doubt things had improved since his time, as indeed he gathered they had from the speech of the hon. and learned Gentleman. The main point in his argument was that the vote for the Oxford and Cambridge Universities was not obtained by the bachelor's degree which meant an examination, but by the master's degree which meant paying a sum of money. He had seen it stated since this question was discussed in Committee, and he believed it to be true, that the representation of those Universities had become much less clerical. The cause of that was a very sad one, it being the increasing poverty of clergymen. There were many clergymen in charge of large and poor parishes who had a better use for their money than that of purchasing the right to remain on the books and to vote for the parliamentary representation of their old University. There had been no contested election for the University of Oxford since the year 1878. He would very much like to put it—not to a constitutional authority like the hon. Baronet—but to some humble inquirer after constitutional truth who it was chose the Members to represent Oxford University. If the inquirer conducted his researches in a ruthless and impartial spirit they would lead him at last, unless he were stopped by the porter, into the recesses of the Carlton Club. In speaking in Committee on this subject of University representation he quoted the case of Peel's rejection at Oxford because he was in favour of emancipating Roman Catholics. The right hon. Gentleman the Leader of the Opposition, in an interruption which was at once relevant and courteous, called his attention to the case of Macaulay who was rejected on some similar ground at Edinburgh University. He made some answer to the right hon. Gentleman on the spur of the moment, but, as usual, the best answer occurred to him a quarter of an hour too late. The answer he ought to to have given was that as soon as the electors of the City had an opportunity they elected him. He supposed it was expected of a University that it would be superior to the ordinary run of Party questions. No University, so far as he was aware, had ever been superior to Party. He believed that, with three exceptions, every Member for Oxford and Cambridge might very well have obtained a seat in any ordinary constituency. The three exceptions were Sir Isaac Newton, Sir Gabriel Stokes, and Sir Richard Jebb. If this Bill did nothing else than put an end to what was called University representation, but was not representation of a University, he should support it, because it gave the final stroke to a principle which was not in accordance with the democratic principles accepted by both parties for the last twenty years, and which, so far as it pretended to be special representation, was a mockery and a snare.

SIR FREDERICK BANBURY (City of London) congratulated the hon. Gentleman on being the first Member outside the Front Ministerial Bench to give the Bill hearty support. An hon. Member who preceded him was extremely angry with the Amendment because it said that the sole object was to disfranchise a certain number of people, whereas this would be only an incidental effect of the Bill. He did not care whether the sole object of the Bill was to disfranchise people, or whether the result of the Bill was to disfranchise people. It was because he believed the Bill would disfranchise people that he intended to support the Amendment of his hon. friend. The First Commissioner of Works had all along advocated this Bill on the ground that there were certain anomalies in the electoral system that ought to be remedied, and said that the Bill dealt with one of the most flagrant. He, however, did not think it was an anomaly. The principle of franchise in this country ever since the time of Henry VI. had been based not upon men but upon property. That might be right or it might be wrong, but it was the principle. The principle of local representation had also held good in this country, and for a very good reason. If we were to have equal electoral areas the result would be that large towns would have undue power in governing the rural districts. He considered the principle of local representation ought to be maintained. The interests of people living in the country and the interests of people living in towns were not always absolutely indentical, and it was desirable that the best men possible should be sent to this House to represent the various interests in the country. Local representation effected that result. If the principles of local representation and property qualifications were sound, and also the principle that taxation and representation should go together, then there was no anomaly in plural voting, because it was evident that if they admitted these three principles there must be plural voting. The principle that taxation and representation should go together was never meant to imply that a man with large property should have more representation in proportion to the man with a small amount of property. All that it meant was that a man should not have a vote unless he paid according to his means some amount of rates and taxes. The hon. Member for Stoke-on-Trent had asked why people with money should have more votes in proportion to their money. Nothing of the kind was ever advocated from the Opposition side of the House. The hon. Member must have confused a speech of the hon. Member for North Norfolk, who said it seemed an injustice that a man with 20,000 acres in one part of a county should not have as many votes as a man with fifty acres in one part of a county and fifty acres in another. He did not know that the hon. Gentleman ever proposed to make an alteration, because he was under the idea that a Bill should be brought in to give residential qualifications. The same sort of wrong idea seemed to have been in the mind of the hon. and gallant Gentleman the Member for Liverpool, because he told the House the other night that it was absurd that a rich man should have more votes than a man because he was poor. All that had been argued, however, was that where a man paid taxes in a constituency he should have a vote in that constituency, and not more than one vote. He was not surprised that there was a little confusion in the mind of the hon. and gallant Gentleman the Member for Liverpool, and that he was not aware of the old Radical doctrine that taxation and representation should go together, because he had only lately become a recruit to that Party. He (Sir F. Banbury) supported the Amendment because the Bill was a disfranchising Bill, and was without precedent, as it was not to be followed by redistribution or dissolution. He quite agreed that it would not be wise for the Party opposite to dissolve at the present time. But why should they bring in this Bill now? Why should they not wait until a short time before their dissolution, which must come sooner or later? The violent hurry for the Bill was dictated by the fear of the country turning round at the by-elections. This was not a Bill for one man one vote, but a Bill for one man no vote, if that man possessed a certain amount of property. The hon. Member for Northampton had challenged his statement that, as a rule, when a man succeeded in holding property in two or more constituencies it was rather an argument that he was fit to exercise the franchise. He could not consider that all men were equal. He wished they were, but he thought unfortunately some men were better thinkers, clearer reasoners, and more far-sighted than others, and those men generally succeeded in raising themselves in this world, and were generally Conservative. The machinery of the Bill was so complicated that the ordinary person would not know quite what to do in order to ensure his vote. Most people would leave it to the agent, and the result would be that many would be disfranchised. As the Bill originally stood, if a man merely asked for a ballot paper he would be subject to two years hard labour. It was true that the right hon. Gentleman, owing to representations made on the Opposition side, had substituted a fine of £500. He thought that a fine of £500 for asking for a ballot paper, when the man who was asking had the right to be on the register somewhere, was in itself sufficient to justify the rejection of the Bill. The result of all the pains and penalties to be imposed would be that in many cases men who were qualified to give a vote and were anxious to record it would find themselves disfranchised. The effect of the Bill would be to disfranchise voters who did not hold the views of right hon. and hon. Gentlemen opposite.

*MR. OSMOND WILLIAMS (Merionethshire) said the speeches of the hon. Member for Dulwich and the hon. Baronet the Member for the City of London showed pretty clearly that the real opposition to this Bill was the hatred of democracy and of the lifting up of the masses. Had it never occurred to them that there were on the Ministerial side of the House men equally interested in property and anxious to safeguard it? The difference between the two sides was as to the lines on which this was to be best accomplished. He maintained that it could only be done by the social and political uplifting of the masses. The only way to preserve property in future was by giving the masses a chance to acquire property. Our institutions were mainly modelled upon those of Athens two thousand years ago, and the attitude of Athens then ought to be the attitude of Great Britain to-day. It might probably be replied that that was ancient history. Let them take modern history. America had done what no other nation had attempted to do. It had established a Republic with the unlimited suffrage of the million. It had shown that a church could exist without bishops. A hundred and twenty years ago it made the sublime, but what seemed then the foolhardy announcement that all men were equal, and to-day it had a territory stretching from ocean to ocean, and the great Republic was stronger than ever. That could not be denied, and they could not stop the advance of democracy.

MR. RAWLINSON (Cambridge University) said he opposed the Third Reading of the Bill on the ground that if passed in its present form it would bring nothing but discredit on the House. The right hon. Gentleman in charge of the Bill had assured them that the Bill would in no way affect University representation, and he accepted the assurance in preference to that of the hon. Member for Northampton, who said the measure would injure it. Therefore he did not propose to deal with the great question of University representation, which might come before the House at some other time. He would only say that, in view of the work which the Universities were doing, he thought it was desirable that they should be represented in the House of Commons. No one who had taken part in these debates had really spoken seriously in favour of the Bill. Though the right hon. Gentleman in charge of the measure had impressed them at every turn with his ability, had he ever imbued them with the idea that he was attempting to carry through a serious reform in a serious way? The Bill in its present form was absolutely unworkable. The hon. Member for Buckinghamshire had said that he was not in love with the Bill, though he was in love with the principle of it. No one had supported the Bill *in toto* as it stood. Why had they not? The Bill was introduced in the spring, and it was practically an open secret that it would not be gone on with. [Cries of "No."] Then that was a mistaken view. It was the view held on the back benches [Cries of "No."] After the vacation this Bill was taken, although there were other more pressing Bills, such as the Workmen's Compensation Bill, which required detailed and careful consideration. The question of principle involved could have been dealt with by a more simple Bill, but this measure had been proceeded with, and after all the Amendments made in Committee and on Report it was still unworkable. The right hon. Gentleman had told them that he had introduced the Bill thus early to enable the plural voter to acquire a knowledge of the law; but could it be suggested that that was a fair way of dealing with the question? Surely a Bill of this kind should be made comprehensible from the first to the ordinary layman, and even to the ordinary lawyer. There was no sort of precedent for such a Bill, which enabled an elector to make an affidavit to the presiding officer in the polling booth that he was not aware that his name appeared in another register. That, he contended, would lead to the blocking of the polling booths by a large number of people at the busiest time of voting. He ventured to submit that the Bill in its present form was absolutely unworkable and ought not to pass the House of Commons. They had been told with cynical frankness that it would have the effect of disfranchising a large number of Conservative voters, and that it would be useful to the Liberal Party at by-elections. But were they quite sure of that?

*SIR BRAMPTON GURDON said that he believed that the Bill would not greatly advantage the Liberal Party; but that was no reason why an injustice should not be remedied.

MR. RAWLINSON said he doubted the correctness of the view which he had quoted. Would not the Bill offend men on the Ministerial side of the House, and a large number of people who were not strong politicians, who might feel that it was not playing the game to pass a Bill which was admitted to be almost a gerrymandering Bill, giving a considerable political advantage to the Party which passed it? He repeated that it would have been better to have dealt with a question of this kind fairly, on broad grounds, and not in this narrow way, though it might bring an advantage to the Liberal Party. He maintained that the Bill was introduced, not for the purpose of legitimately dealing with an acknowledged grievance by people who wished to sweep it away, but for the purpose heard of elswhere of filling up the cup against another assembly. From either a layman's or lawyer's point of view, the Bill was over-laden with cumbersome machinery which would render it unworkable; and he asked the House most strongly to hesitate before giving it a Third Reading.

MR. A. J. BALFOUR (City of London) said he was sorry to intervene when so many hon. Gentlemen on the other side desired to continue the debate, but although he did not want to occupy the House for a considerable period he must begin so as to leave a little time for the right hon. Gentleman opposite to defend the Bill, which had not yet been done. He did not know whether the hon. Gentleman heard the entertaining speech made by his subordinate in the earlier part of the debate. If he did he would agree that the speech had almost every merit except that of touching on the question now before the House. With some over-elaborate irrelevance the right hon. Gentleman travelled over most of the legislation of this session and over a large part of the legislation and intended legislation of preceding sessions. He touched on the speech made by him on the Third Reading of the Trade Disputes Bill. He referred to the speech which his right hon. friend made on the Third Reading of the Land Tenure Bill. He gave a very elaborate, if not very accurate history of the redistribution scheme of last session; and finally he paid him the compliment of referring to a polling-card which was circulated in his election in 1895. He was always pleased when the other side came round to that polling-card. As a politician who had been before the public for something over thirty years, he felt that, when the worst that could be quoted against him was not something he had said but something else for which the responsibility could be fastened upon him, he had done pretty well. No higher tribute could be paid to his consistency and moderation as a politician than this recurrence to an ancient voting-card which was not his composition. He did not complain on this occasion, but he did not see its obvious and immediate connection with the Plural Voting Bill. Nor could he recall in what connection the right hon. Gentleman brought in that episode.

MR. HARCOURT: In reference to the words "very simple."

MR. A. J. BALFOUR: Was he drawing a parallel between the present Bill and my polling-card?

MR. HARCOURT said he was quoting the words used about the redistribution proposals of July last year, that they were very simple, and he recalled that these words had also been applied either by the right hon. Gentleman or his friends to the proposal for old-age pensions.

MR. A. J. BALFOUR said he was reminded more of a game called Russian scandal than of anything else he had ever heard. They were discussing a franchise Bill. On that it occurred to the right hon. Gentleman to give a history of the redistribution proposals of last year. On that it occurred to him to quote a speech in which it appeared he said that the principle of the proposed Redistribution Bill was very simple, as, indeed, it was. Having used the word "simple" it occurred to him that that commonplace adjective had been previously used in some other connection—that of the voting card of 1895; and so by a happy and natural collocation of literary ideas they were carried from the Third Reading of a one-man-one-vote Bill back to an obscure episode in an election contest which happened ten years ago. He could understand how it was that the right hon. Gentleman, tied down as he had been through the whole of the long Report stage to the dry detail of the Bill, which he had managed with great knowledge of the subject and great tact and dexterity, should have given himself a free rein when he came to the wide and open campaign of the Third Reading of the Bill. Although he did not grudge him these excursions either into the immediate or the remote past, he thought he might have come back towards the end of the speech, at all events, to something distantly connected with the measure before the House. The right hon. Gentleman did not do so, and the unfortunate thing was that he had got to speak before and not after the official defence of the Bill. He was not privileged to follow the Prime Minister, who was going to make that belated defence; but he had to deal as best he could, not with the defence that had been made, for none had been made, but with the defence that might be, or would be, made by the Leader of the Party responsible for the Bill. He was not going to discuss the details of the Bill. The right hon. Gentleman opposite described the Bill, when it suited the particular connection in which he was speaking, as a machinery Bill. The hon. Gentleman the Member for Merionethshire had spoken of the bearing the Bill had on universal civilisation, and he gathered from what he heard of the hon. Gentleman's speech that he anticipated from the Bill every blessing that could come to mankind. We were to have small holdings in England, we were to rival the glories of America in literature and art, and Athens in Empire. He did not think all these blessings were likely to result from a Bill which, as its author said, was only a machinery Bill. He could not believe that the mere manipulation of our electoral system was going to make a new heaven or a new earth, and he was the more impressed with that when he remembered that this machinery Bill was one of which the machinery was extremely defective. The right hon. Gentleman had found a great many defenders of what he called the principle of the Bill, but he was not aware that he had found a single defender of its machinery. One of his most ardent supporters, the right hon. Baronet the Member for the Forest of Dean, had never concealed the fact that he thought the Bill quite unworkable; and he did not believe that anybody thought it workable, from which he was tempted to think that nobody thought it would get the chance of working. The right hon. Gentleman in charge of the Bill said the Government were perfectly ready to take on their own shoulders all responsibility for the Bill and that he was prepared to lay it would work. How the Government could guarantee that the Bill would work surpassed his understanding. They could not treat a Reform Bill as they would treat a bicycle or a motor-car, and give a guarantee with it. They could not claim damages from the right hon. Gentleman if the thing failed; and if the Bill would throw our whole electoral system into confusion, in imposing an unmerited hardship on the voters immediately concerned, and in increasing the cost and expense of the electoral machinery, he could not understand how the right hon. Gentleman could have the courage to say that the Bill was one for which he and his friends took the whole responsibility. The right hon. Gentleman had laid himself open to the charge that he had not considered the machinery adequately. He had told the House that two or three years before he came into Parliament he regarded this as one of the greatest problems requiring solution. If a machinery Bill was to be the result of all this cogitation it might have been expected that it would be better adapted to the object it was to carry out than this Bill, which, with so much capacity and good humour, the right hon. Gentleman had recommended to the House. Leaving details, he came to the broader principles more especially germane to the present stage. Upon that subject they had really had nothing from the right hon. Gentleman himself, and they had to turn to speeches of his supporters to find out what it was the right hon. Gentleman desired to effect by this great machinery Bill, which was also a great Reform Bill. The hon. Gentleman who represented one of the divisions of Norfolk made a speech earlier in the evening, in which he had the courage to tell the House that the principle of the British Constitution was that a man should have a vote, and only one.

SIR BRAMPTON GURDON: That men should have votes, not property.

MR. A. J. BALFOUR said he did not know whether the hon. Gentleman thought he was misrepresenting him; he took down the words "the British Constitution was that a man should have one vote, and no more." He did not know where the hon. Gentleman got that view of the British Constitution. It certainly was not from history; it certainly was not from a study of the actual franchise which had been in force in this country since those primeval times when our free institutions first began to take shape; neither did he get it from the teachings of our great constitutional authorities. He could not imagine any doctrine that would have more horrified every great constitutional statesman from Edmund Burke to Mr. Gladstone. It was not the principle of the constitution, and never had been recommended by any great statesman who had had the conduct of national affairs for the last 150 years. To find such a doctrine one must search not the writings of constitutional authorities, not their speeches on constitutional subjects, one must search the abstract and theoretical essays, numerous enough in the eighteenth and nineteenth centuries, in foreign countries, and which had their analogue in articles of British production. These, it must be admitted, laid down certain individualistic theories as to the position of individuals in regard to the State. He did not know whether the hon. Member would take them in their rigid entirety and press them to their logical conclusion. If he did he would certainly arrive at the conclusion that our present system required a great deal of reform. But what reform ? He had no particular love for pedants and doctrinaires, who for the most part were very respectable gentlemen, but whose particular quality it was to take a very narrow view upon imperfect premises, and then to extract from it everything that the laws of logic enabled them to deduce. But what was to be said of doctrinaires who could not set this logical machine to work, who, having obtained their views from imperfect premises, could not deduce their logical conclusions ? Was there any hon. Gentleman opposite who would seriously advocate carrying their view to its logical conclusion ? It was simple enough ; everybody knew that of course it would carry with it female suffrage—obviously it would. ["Why ?"] Because he had always been taught to believe that even a woman was human. If they were to plunge into this bog of abstract rights and assert that all men had the absolute right, that could hardly be admitted with at the same time a denial of the privilege to the female sex. Everything they did in the way of franchise for the male they must do, on the principle of the British Constitution, as known not to Mr. Gladstone and other great constitutional authorities, but to the hon. Member for Norfolk, for the female. Hon. Gentlemen opposite did not deny it, but they refused to carry it into effect. That was not the only conclusion they must draw. They must, as an approach to a proper system, make equal electoral districts. But, after all, these were merely makeshifts ; they did not give equal power to each adult individual in the community. They could not do that, they could not even approach to it unless they adopted some system of minority representation of an elaborate kind. He did not know that that was part of the general scheme which hon. Gentlemen opposite proposed to enforce. He listened with impatience to the theory that every man had an equal right to a vote, and the power which a vote gave, when the people who advanced that theory had not the smallest intention of carrying their own schemes into effect. He had never accepted that view of the British Constitution ; he did not think it had any historical justification. He believed that our Constitution was and must remain democratic, and perhaps it might become increasingly democratic. But he did not base that belief on the abstract rights of individuals ; he based it on the particular needs of the country at this particular time. He believed that the democratic ideal was perfectly unsuited to many peoples, to many stages of civilisation, to whole nations, and to whole races. He thought it was suited to Great Britain in 1906, and we lived under democratic government. The House of Commons was a democratic House. He did not quite know why right hon. Gentlemen opposite had occupied a large portion of the autumn sitting, which ought to have been devoted to a scheme of social reform, to carrying out a purely political measure which did not appear to be of the first and most pressing importance. He reminded hon. Members below the gangway, who specially and peculiarly represented these democratic views at all events of reform, that what was happening now had always happened. The Radical or Liberal Party came into power on the strength of the wonderful things they were going to do in the way of social reform to raise the condition of the masses of the country. Directly they obtained office they began to deal, not with social problems at all, but with some political dodge. This Bill would not benefit a single individual in the country; it did not further social reform by an inch. He should have thought the Government might have given them the ordinary leisure of the autumn, or at all events asked them to occupy their time with one or two of those great measures of social reform which they had promised. But the habit was inveterate; they could not help it. It had always been so. It was for that reason that almost all the great measures of social reform had been Tory or Unionist measures. It was not in the least because on that side they were more philanthropic than hon. Gentlemen opposite. He was sure that the Liberal Party were a most well-meaning set of gentlemen, but they had got this ingrained and inveterate practice that, when Parliamentary power and time were given into their hands, they set to work to dish their opponents. The right hon. Gentleman in charge of the Bill was very indignant because it was suggested that this measure was not designed to improve our electoral system but was levelled against political opponents, and he said it was an untrue statement. He accepted the right hon. Gentleman's disclaimer so far as he was concerned, but he would point out that the disclaimer did not come very well from a gentleman who spent a good deal of his speech, which might have been devoted to the Bill, in explaining that the late Government's scheme of redistribution was designed in order to inflict political injury on hon. Gentlemen opposite. They were always ready to give full credit to good intentions, but those who asked to be given credit for good intentions should show themselves capable of attributing good intentions to those from whom they differed. But, in truth, whatever might be the intentions of the right hon. Gentleman in charge of the Bill, and he was sure they were excellent, could this Bill have any effect in furthering any good cause in the country; in helping on any social reform, or in aiding to carry out any object which any man of independent judgment outside Party strife was likely to regard as a great object? It would inflict, no doubt, great hardships on the owners of double or treble qualifications. It would make a modification in our electoral system, it would, or it was thought it would, inflict an injury on those who were for the present a small minority in that House. But he would remind the right hon. Gentleman of the observation of the right hon. Baronet the Member for the Forest of Dean, who, talking not, indeed, of this Bill, but of a Redistribution Bill, stated that that Bill never could be carried out unless by the agreement of both Parties and in connection with some wide scheme of general reform. He asked the right hon. Gentleman whether, if that were true, he really thought it possible that Parliament should pass into law a measure which avowedly dealt with but the smallest fraction of a great subject, which avowedly dealt with that fraction in a manner unpractical and costly, which was taken in isolation from every other scheme by which the balance as between Parties could be redressed—was it possible that such a measure could be passed into law with the general assent of the community? He did not think so. The outside public, perhaps, did not take much interest in the matter one way or another, but this they knew, that if they were to deal piecemeal with this question of electoral franchises, it was not decorous nor politic, nor prudent for a great majority to attempt to seize the opportunity and put its heel on the minority. From the point of view of the minority, he regarded the policy as ungenerous. But he did not appeal to the generosity of hon. Gentlemen opposite. He appealed to their sense of expediency. From their own point of view, a Bill of this kind, which, on the face of it, whatever might be the intentions of the responsible author, was a gerrymandering Bill, could never be satisfactorily dealt with in isolation. A settlement could only be arrived at when both parties come to some agreement, not merely on the question of one man one vote, but on the question of the redistribution of seats, of the representation of Ireland, upon the question, it might be, of woman franchise—on all those questions which, until they had the courage to deal with them, Parliament and the country would refuse to meddle with in isolation.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs) said on one thing they must all be agreed. They were glad to find the right hon. Gentleman in such remarkably good spirits. He almost recalled to them himself during the debates of the last Parliament, when he commanded an overwhelming majority, and comported himself with a spirit which that position in such a man as he was naturally produced. Why on this occasion was he in such a rollicking humour? Obviously because at last he had found a Bill which he could not only oppose and delay, criticise and denounce in every clause and in every line in Committee and on Report, but which he could oppose when it reached Third Reading. The right hon. Gentleman had said truly that if they searched history they would find that when the Liberal Party came into power they addressed themselves to questions of electoral law, which might not have any direct and immediate bearing upon the general tendency of legislation in the country; and that when the Conservatives came in—again he agreed to a large extent with the right hon. Gentleman—excellent measures improving the social condition of the people were passed. And why was this? Because while Liberals were in office they were thwarted and hindered by the Opposition in the passing of these social measures, and they applied themselves to the improving of the machinery of legislation in order that they might be better able in the future to overcome that opposition, and to give the opinions, desires, and sentiments of the people a better and further opportunity of expression. That was the explanation of the strange phenomenon which the right hon. Gentleman had discovered. This was a simple Bill, and the difficulties in it consisted not in the principle, but in the mode of applying it. The principle was that no man should have more than one vote. Why was that opposed? It was difficult to discover the foundation of the opposition. The mover and seconder concerned themselves principally with the old accusation, that while the Government were concerned with one man one vote they neglected the principle of one vote one value. That was why the First Commissioner had dwelt so largely on the redistribution efforts of the right hon. Gentleman last year, which ought to debar him, to a great extent at any rate, from bringing any charge of gerrymandering or Party motive when any Government attempted to alter the conditions and the details of the system of representation in this country. There must be something more than that to say in opposition to the Bill. The hon. Member for Sevenoaks, who was chosen to represent the opposition to the Second Reading of the Bill, made two remarkable statements. He said that a man did not give a vote because he was a man; and he went on to say that property was the essence of every vote given in this country. For this realistic language and his candour they were obliged to him. In his view electors were mere animated voting instruments in defence of property. He could well understand that it would be the duty of a representative so elected to frame his policy and that of his friends in the interests of property. But the right hon. Gentleman the Leader of the Opposition did not fall into the error of his hon. colleague. He rather tried to slur over, and all through the debate he had neglected to revive, the crudities of the hon. Member for Sevenoaks. The careful way in which the right hon. Gentleman had skirted round this particular subject of "property," and contrived to cast an almost romantic glow upon that very prosaic instrument, must have commanded universal admiration. He would, no doubt, shrink from admitting that property was the ground of the franchise, and he would not admit that property pluralism was necessary for the solidity of the constitution. He had said that the electoral system had its roots in history, and that every statesman of distinction had worked upon this historical basis whenever it had been his lot to modify the electoral system. He had said that our electoral system was based on the representation of localities. Looking to Ireland, Scotland, and Wales he should not have thought that this was the keystone of the right hon. Gentleman's policy. But when they came to look closely into this question of the representations of localities, they did not get any nearer to each other, and whilst he agreed that localities were very inefficiently represented in our electoral system the right hon. Gentleman was no doubt perfectly satisfied with it. Here was a case in point. The right hon. Gentleman had said over and over again that it was a great grievance for a business man, conducting his business in one constituency and residing in another, to be deprived of one of his votes and to be called upon to choose which he would use. But if local ties and responsibilities were of the very essence of the whole affair, why should business men be given a larger voting power than their workmen and clerks who also carried on their occupation in one constituency and resided in another? If plural voting was almost essential to the constitution, and if the rigid representation of locality was essential, why had the Party opposite, at any time during the past twenty years, when they could do it, not given the power of plural voting to the workman and the clerk, so that they might have been consolidated in the locality in which their separate interests were to be found? That could not be done because they had no property qualification in their workshops or places of business; and therefore their claims lay dormant, so that even underneath these high-flying doctrines of public interest and the necessity of recognising the claims of localities they came down plump upon their old friend property, which was really the foundation of the whole opposition to this Bill. As to the historic argument, his answer to the right hon. Gentleman was that what might have been very good and suitable many years ago might be in no way suitable to the tendencies and circumstances of the present day, and to argue that re-arrangement in any matter should not be attempted because it was old was the finest old Tory doctrine, from which he should have thought hon. Gentlemen opposite had completely emancipated themselves. They were now anxious to convince themselves that they were abreast of the movement of the modern tendency in politics and were animated by an almost feverish desire to appear to be, at all events, in the front line; and they were good enough to say sometimes that it was the Liberal Party who followed the old methods, used the old arguments, and adhered to the old principles. He could not help thinking that there was a good deal of make-believe in the fears of right hon. and hon. Gentlemen opposite as to the results of a measure such as this. After all, one man one vote was a plain common-sense doctrine. It had been acted on by the Party opposite in their own county councils; and last year, when they introduced a new constitution for the Transvaal, they included the same principle, and in the Transvaal, he would have thought, quite as much as anywhere else, the power of property would be considered. What was the opposite course? One man as many votes as he could manage to scramble together. He put it to those most afraid of this Bill whether the constitution of the State was likely to be endangered by the abolition of a system of that kind. There was much more danger to the State in adhering to and hugging old outworn privileges than in freeing ourselves from them. The Government took this one point in the electoral system because it stood by itself, and could be dealt with by itself without raising other questions, without confusing the proceedings of Parliament, and without any necessity of taking it at the end of the Parliament, as they would have to take redistribution. They took it now in order that once for all they might induce Parliament to accomplish a reform which they had advocated for the last score of years, and he believed the general opinion of the country would say it was a useful, safe, and patriotic course to take.

The House divided:—Ayes, 333; Noes, 104. (Division List No. 456.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt. Hon. Herbert H.
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, John Emmot (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bell, Richard
Bellairs Carylon
Benn, Sir J. Williams (Dev'np'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, H. T. D.
Bethell, Sir J. H. (Essex, R'mf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Ches.
Bryce, Rt. Hon. James (Aberd'n
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)

Collins,SirWm.J.(S.Pancras,W.
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C.H. (Sussex,E.Gr'st'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies Timothy (Fulham)
Davies, W. Howell (Bristol, S).
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H.(St. Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin (Wals'l
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Findlay, Alexander
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.Herbert John
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie,J.Keir (MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth,R.L. (Caithn'ss-sh
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)

Haslam, Lewis (Monmouth)
Haydin, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hope,W.Bateman (Somers't,N
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Sir D.Brynmor(Swansea
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Leese,Sir Joseph F. (Ac'ringt'n
Lever,A.Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald,J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr Thomas J.
MacNeill, John Gordon Swift
MacVeagh,Jeremiah (Down, S.
Macveigh, Charles (Donegal, E.
M'Arthur, William
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Bail
Marks,G.Croydon (Launceston
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Mooney, J. J.

Morgan, G. Hay (Cornwall)
Morgan,J.Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,Charles N. (Donc'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal (Tip'rary Mid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Hare, Patrick
O'Kelly, James (Roscommon,N
O'Malley, William
O'Shaughnessy, P.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Perks, Robert William
Philipps,Col. Ivor (S'th'mpton)
Philipps, J.Wynford (P'mbroke
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central
Price,Robert John (Norfolk, E.
Radford, G. H.
Rainy, A. Rolland
Raphael Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards,T.F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson,Sir G.Scott (Br'df'd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John

Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Tennant, Sir Edward (Salisbury
Thomas, Sir A. (Glamorgan, E.
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (South'mpt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney
Waterlow, D. S.
White, George (Norfolk)
White, J.D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn (Carm'th'n
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.
Wilson, P. W. (St. Pancras, S.
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Aubrey-Fletcher, Rt. Hon. Sir H
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael Hugh Hicks
Bowles, G. Stewart
Boyle, Sir Edward
Burdett-Coutts, W.
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E
Chamberlain, Rt. Hn. J. A. (Wor.
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birm'gh'm
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.
Craig, Captain James (Down, E.
Craik, Sir Henry
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Faber, Capt. W. V. (Hants, W.)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Gordon, J. (Londonderry, S.)
Haddock, George R.
Hambro, Charles Eric
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashf'd
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H
Kenyon-Slaney, Rt. Hon. Col. W.
Keswick, William
Kimber, Sir Henry
Law, Andrew Bonar (Dulwich)
Lee, Arthur H. (Hants., Fare'm
Liddell, Henry
Long, Col. Charles W. (Eves'm
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Pease, Herbert Pike (Darlingt'n
Percy, Earl
Powell, Sir Francis Sharp
Ratcliff, Major R. F.
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Stanley, Hon. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thomson, W. Mitchell- (Lanark
Thornton, Percy M.
Tuke, Sir John Batty
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid.)
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley (York, E. R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Main Question put, and agreed to. Bill read the Third time, and passed.

BANKERS (IRELAND) ACT REPEAL BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

SUPREME COURT OF JUDICATURE (IRELAND) BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

NAVAL LANDS (VOLUNTEERS) BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at seven minutes after Eleven o'clock.

HOUSE OF LORDS.

Tuesday, 4th December, 1906.

The Lord Botreaux (E. Loudoun) took the Oath.

PETITIONS.

TRADE DISPUTES BILL.

Petitions for Amendment of; of owners of shipyards, engineering works, factories, and other works on the north-east coast of England; Glasgow Master Wrights Association; Clyde Steamship Owners Association; Huddersfield Incorporated Chamber of Commerce; and Steel Ingot Makers Association; Read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against, of inhabitants of, or parents of children attending schools in parishes of Bamber Bridge; Brinksway; Ayot (St. Laurence); Llangibby; Barry (St. Paul's); Port Talbot (St. Theodore); Newcastle Emlyn; Kemp Town; Bathwick; Douglas; Platt; Major with Redwick; Everton (St. Cuthbert); Machen; St. Catharines; Burford; Baglan; Rumney; Penrhwceiber; Cucklington; Norton Marleward; Melbourne; Naunton; Usk and Glascoed; Watford; Hardwicke; Holystone; Stanhoe; Birkenhead; Hardwicke; Bathwick; Staud; Ribby-with-Rea; Wanstrow; and Marston-Biggott; of clergy and laity in diocese of Southwark; and laity in diocese of Southwark; of trustees of Church of England Schools in England and Wales, signing; of persons signing.

Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

COLONIES: ANNUAL.

No. 511 Sierra Leone (Report for 1905).

INTERNATIONAL LABOUR CONFERENCE (BERNE, 1906).

Memorandum on the International Conference on labour regulation held at Berne, September 1906; with the text of the documents signed at the conference.

Presented (by Command) and ordered to lie on the Table.

SUPERANNUATION.

Treasury minute, dated 6th November, 1906, declaring that Alexander Robertson, telegraph clerk, sixth class, Post Office, was appointed without a civil service certificate through inadvertence on the part of the head of his department.

Treasury minute, dated 27th November 1906, granting a retired allowance to William Ward, second division clerk, War Office, under Section 2 of the Superannuation Act, 1887.

Laid before the House (pursuant to Act) and ordered to lie on the Table.

PLURAL VOTING BILL.

Brought from the Commons; read 1ª and to be printed. (No. 225).

TRADE DISPUTES BILL.

[SECOND READING].

Order of the Day for the Second Reading read.

THE **LORD CHANCELLOR** (Lord LOREBURN): My Lords, I rise for the purpose of commending to your Lordships' favourable consideration the Second Reading of this very important Bill. I do not intend to enter upon any matter except what may be described as strictly second-reading subjects, because the Bill is one that bristles with legal difficulties and difficulties which, in my opinion, can only be satisfactorily discussed in Committee, where we can fix our attention upon the particular points and save ourselves to some extent from straying from the direct issue. Now, my Lords, the career of this Bill has been as interesting as its subject-matter, and I am perfectly aware that His Majesty's Government is likely to be castigated and fustigated in reference to transactions which took place when the Bill was introduced in the House of Commons. I prefer to begin

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

by a reference to that subject in order to clear the way.

When this Bill was introduced in the House of Commons it was not in the shape in which it is at present in regard to one clause, which I must say I think is the most important clause in the Bill. The Bill proposed, not to relieve trade unions from liability to be sued in damages, but to limit the law of agency so as to minimise the number of cases in which that liability might be imposed. My hon. and learned friend the Attorney-General opened the Bill in a speech of great vigour, in which he expressed his own very strong opinion in favour of the Bill as it stood, which he was quite entitled to do, and he said that which form of the two was to be ultimately chosen must depend upon the opinion of the House of Commons. The House of Commons was practically unanimous. I do not speak of the Opposition, of which I will speak presently—it was practically unanimous on the Ministerial side in favour of the Bill being changed to the form in which it now appears before your Lordships. I am aware that the Attorney-General was not convinced, and other colleagues of mine in the Ministry have since expressed their preference for the original form. It therefore is legitimate for me to say that from the time when this controversy first began I always have been in favour of the form of the Bill as it is now presented to your Lordships, because I believe it is a just demand which ought to be satisfied by Parliament.

I said I would refer to the history of the opposition, and that I will do without the least reproach of any kind, either direct or covert. But the history of the opposition to this Bill is somewhat interesting. This Bill is substantially the same as that which was introduced in the House of Commons in the year 1903. I was a supporter of it then, and I had some share in drawing the Bill for those friends of mine who were on the Trade Union Council. In 1903 it was defeated in a Conservative House of Commons by thirty votes. It was brought in again in 1904, and was carried by twenty-nine votes. In 1905 further argument was held in the House, the Bill was more fully understood and more discussed, and in a Conservative House of Commons it was carried by a majority of 122.

Then came the general election, and the Bill of the Trade Union Congress in 1906 was carried by a majority of 350. The Government Bill passed the Second Reading without a division at all. But that did not conclude the interesting part of the career of this Bill, for I am practically right in saying that no employer of labour in the House of Commons had a word to say against it; and when the Bill came to a Third Reading Mr. Balfour recommended his Party not to divide against it, and therefore it comes up to your Lordships sealed with the unanimous approval, so far as divisions go, both on the Second Reading and the Third Reading, of the House of Commons. I respectfully commend to your Lordships' attention those facts as being full of significance, for I am not one of those who believe that our countrymen are so wanting in moral courage as to be afraid of opposing a bad Bill for electoral reasons. It was because the Bill could be justified by argument, as I am about to endeavour to justify it here, that the House of Commons came to the conclusion at which they arrived.

There was a Royal Commission preceding this Bill. It was constituted by the late Government. It consisted, I think, of five gentlemen. One of them was a representative of the employers. The late Government refused to place on that Royal Commission any representative of the workmen, and the consequence was that the workmen said, as I think they were entitled to say—

> "This is not an impartial and fair Commission; it is not a Commission in which there are all neutral members. It is a Commission on which our antagonists are represented and we are not represented."

Accordingly they refused to give any evidence or any assistance at all to that Royal Commission, notwithstanding which the Royal Commission has reported, as I think can be maintained, in support of three out of four of the principal parts of which this Bill is composed.

I now come to what is more important than the merits or demerits of the Government or the merits of the Opposition—namely, the merits of the Bill itself; and it is upon that, and that alone, that I ask your Lordships to concur. Someone has said you never can understand anything in human affairs unless you understand how it grew, and I believe that to be true of this controversy. Trade unions are of old standing here, certainly 200 years. Until 1824 they were largely regulated by statute. After 1824 until 1871 they were principally left to the common law; and the tender mercies of the common law were cruel towards trade unions. Trade unions were held to be unlawful associations. A man could be indicted for belonging to them. It was held that strikes were unlawful transactions, and to such an extent did this penalising of these legitimate and useful associations proceed that it was decided in the year 1865 that a man could rob a trade union and embezzle its money with impunity.

These were great and heavy disabilities, but there was one thing that they could have for their advantage. In those dark days the funds of the trade unions were not liable to attack by any suitor in any Court. In the report of the Royal Commission there is an abstruse, and, if I may say so with great respect, a fine-spun discussion of the law upon that subject as it existed before 1871. The Royal Commission think that in theory the trade unions might be sued, but in practice it was impossible to sue them. I am not concerned to enter upon the reasons why they could not be sued, but this I affirm, and no man will contradict me, that from the dawn of English history there never had been any attempt to sue a trade union in order to reach its funds to pay damages to any one who was supposed to be wronged. Whether that was a law of procedure or a law of principle, I do not enter upon the discussion. I think it was a law of principle. It is sufficient to say there never had been, and until the decision of this House in the year 1901 there never was any attempt, even an unsuccessful attempt, to make trade unions liable for damages in any action. That was, at all events, one of the advantages that they enjoyed in the years prior to 1871.

I see near me noble Lords who took a distinguished part in the fight which arose in those days. When I first began to take an interest in public affairs there was a great movement for the purpose of placing trade unions upon a proper and legitimate footing, among the men who had complained of this hardship, of the unfair position in which they were placed, of the absence of protection by the law to legitimate combinations, and of the liability to be pillaged in secret and persecuted in open Court for things which are now universally recognised as lawful. A Royal Commission sat in 1869, and in the end the statutes of 1871 and 1875 were passed, embodying principles of protection for trade unions. The first claim was that trade unions should be legalised, so that no longer should their funds be liable to be stolen or their members prosecuted for belonging to a union. That was accomplished in 1871 by the great Statute passed by a Liberal Government. The effect of that Act was not to incorporate trade unions, but to allow them to be registered with a sort of *quasi*-corporate existence, to protect their funds, and to prevent people from being prosecuted for belonging to them. That was the purpose of the Act.

But observe, from the commencement of the discussion down to the time when the Act received the Royal assent, there was not a whisper in this House or in the other, or in the public Press, or anywhere else, that there was to be any change in the old practice of the law by which trade unions were free from having their funds attacked. I wish to emphasise this point. It was never suggested, till the Act of 1871 was passed, that the immunity which trade unions had hitherto enjoyed from action was to be interfered with. If that was really the effect of the Act of 1871 it was the undesigned effect, for no one knew that it was being done. It was done by inadvertence and not by intention. In the year 1901 it was discovered for the first time by your Lordships' House, sitting judicially, that this Act of 1871 had had the effect of depriving the trade unions of the immunities which they had enjoyed in every previous period of English history. That was the decision in the celebrated Taff Vale case. I am not presumptuous enough to suggest that that is not good law. I know the immense capacity and learning of the great Judges who so held. But it was accidental and undesigned law. The result is that that Act of 1871, which was intended to protect the trade unions and to be a boon to them, became a bane to them instead.

From the year 1871 to 1901 everyone believed that the law was still such that trade unions could not be sued; and when this House came to the other decision, they overruled the Court of Appeal, which had decided in accordance with the universal belief in the legal profession, and among men of business and workmen, that trade unions could not be sued. The world went on very well between 1871 and 1901. There was a great multitude of strikes; but search the records of Parliament and the Press, and you will not find that any one suggested that the law ought to be altered, and if this new proposal which is represented as so shocking is to be stigmatised as unjust, it is at least an injustice under which since 1871 the whole world of industry sat still without one complaint being made anywhere of the unfair operation of the law.

Trade unions, like the rest of the world, believed that the law was as I have said, and so believing they built up their great funds. From the Board of Trade *Labour Gazette* for March, 1906, I take the following particulars for the ten years between 1895 and 1904. During that time 100 principal trade unions spent £16,060,000, of which only 14 per cent. was spent on dispute pay, the rest being all spent upon benefits of various kinds. All this was done in the belief that the law was as it had been in every antecedent period of English history; and then came the decision of this House in 1901 to say that the funds, painfully collected by half-crowns, shillings, and sixpences, were exposed to liability to be taken in satisfaction of damages. That is the case for the first part of the Bill. The purpose of this Bill is to place the law in the position in which every Englishman thought it was from the Norman Conquest onward up to the year 1901; and to prevent actions from being brought which never had been brought with success until that year. I submit that there may be some better reason that a craven compliance with the majority which induced the House of Commons to accept a proposal of this kind.

Now I come to the second proposal of the Bill. In the years 1871 to 1875 picketing, among other things, had been made difficult or dangerous by the decisions of the Courts of law. A great deal of indignation has been expressed against the practice of picketing. It is an extremely disagreeable thing, I have not the slightest doubt. It is a phase in an industrial war. What it means is this—and I do not wish to minimise the discomfort of the transaction—that the men watch at the entrance of the works or at other convenient places, for the purpose of endeavouring to prevent others from going in to take their places while a strike is in progress. It cannot be done without some measure of discomfort, although it can be done—and I am glad to think that it nearly always is done—without violence or intimidation. If it is done with violence or intimidation, your Lordships will never hear me say that it ought not to be properly punished.

But picketing is a thing which was legalised long ago by the law of England. It was legalised by the Act of 1859 which has since been repealed; and also it was legalised—and it is to the honour of the Conservative Government of that day that it was—by the Act of 1875. Lord Beaconsfield was the Prime Minister of that Government, and he was also the author of "Sybil," and a man with deep feelings on subjects of this kind. He sympathised with trade unions, as did Lord Cairns, one of the greatest Chancellors there has ever been in this country; and the third of the triumvirate responsible for the legislation of 1875 is the noble Viscount who is here now, Lord Cross. He will remember these transactions well, for he was Home Secretary, and if he corrects me, I shall know that I am wrong. But I think he will not correct me. The second claim of the workmen was that picketing should be put upon a proper footing; and it was by intention put upon a proper footing by the Act of 1875. It was legalised for the purpose of obtaining information.

When the Bill was passing through the House of Commons a Member moved an Amendment for the purpose of saying that picketing should be lawful, not merely for the purpose of obtaining information, but also for the purpose of peaceful persuasion; and the noble Viscount, being then Home Secretary, rose and said in the House of Commons, as will be seen from a reference to *Hansard*, that it was quite unnecessary to press the Amendment because, as the Bill stood, picketing would be lawful for the purposes of peaceful persuasion. In 1896 it was decided that picketing was only lawful for the purpose of obtaining information. The noble Viscount accepted what he was told by his advisers, and most innocently led the House not to proceed with the Amendment authorising picketing for peaceful persuasion, because he was advised that it was already the law of the land and that there was no necessity for the Amendment. Can your Lordships therefore complain that we have put in a clause making picketing lawful for the purpose of peaceful persuasion? It is another reason why the House of Commons may have thought that this Bill, notwithstanding the attacks of jurists and professors, which, I believe, have been very copious on this subject, had some merits and some title to be considered.

The third claim made by the workmen between 1871 and 1875 was that the law of conspiracy should be settled and made clear. They had suffered enough from the law of conspiracy. The law of conspiracy in this country is a very unsettled and a very difficult law to ascertain, and in regard to all subjects it would be better to have it cleared up. But the workmen said, "We want to have it cleared up in regard to trade unions alone.' I have seen criticisms in regard to this Bill to the effect that it had been brought in only for one class. But then so was the Act of 1875 brought in for one class, and the noble Viscount (Viscount Cross), Lord Beaconsfield, and Lord Cairns introduced a clause in the Bill of 1875 dealing with this law of conspiracy for one class alone. They dealt with it in this way. At that time no one took any interest in the question of civil liability, and your Lordships will remember there never had been any attempt to make out any civil liability. It was only criminal liability that was thought of when an Amendment was being contemplated in the law of conspiracy. See what Lord Cairns, who certainly was not a revolutionary statesman, said—

> "The principle on which the Bill was framed was that the offences in relation to trade disputes should be thoroughly known and understood, and that persons should not be subjected to the indirect and deluding action of the old law of conspiracy."

I cannot use any more severe censure of the law of conspiracy. There was accordingly a clause inserted in the Bill that no persons in a case of trade dispute should be exposed to criminal punishment for conspiracy—

> "Agreement or combination by two or more persons to do or procure to be done any act in contemplation or furtherance of a trade dispute between employer and workman shall not be indictable as conspiracy if the said act committed by one person would not be punishable as a crime."

Then came the new world and the new ideas, and every one seemed to have forgotten all this controversy connected with the settlements of 1871 and 1875. Decisions were given to the effect that there was a civil liability, and therefore the civil responsibility for conspiracy became very serious. This Bill proposes to place civil responsibility for conspiracy on the same footing as criminal, nothing more nor less.

There is one other clause which is somewhat novel in point of matter. It is very technical and very difficult to enter upon except in the Committee stage, but I may give an illustration of the kind of case which is it intended to meet. There was the case of a strike where some Irishmen had been induced by the employers to come over to Whitehaven for the purpose of taking the places of the men who were out on strike. These Irishmen did not know that a strike was going on, and one of the officials of the trade union met them at the station and said to them—

> "My men, do you know what you are coming for? You are coming to replace your comrades who are on strike. I will pay your fares back again to Ireland. Will you go back?"

Not wishing to injure their comrades these men went back; but the trade union was held responsible and had to pay damages because it was interfering with a contract.

There was another case told to me by my friend, Mr. Shackleton, in which the hon. Member was himself concerned. It was a case in which men were working at standard wages, but the materials supplied by the employers were so bad that the men could not obtain their standard rate of wages. They struck, and other men came in answer to an advertisement which said that the standard rate of wages would be paid. The men knew nothing about the strike, but they were told that the statement about the standard rate of wages was wrong, because the materials were so bad that the standard rate of wages could not be earned. Those who advised the men were held responsible for correcting what was uncommonly like a fraud in the statement that the standard rate of wages was being paid. That is the class of case which is struck at by this fourth part of the Bill. The second, third, and fourth of the proposals I have indicated are in substance recommended by the Royal Commission, although the Royal Commission did not have the benefit of a single witness from the side of the workmen.

I have now concluded my statement of what this Bill contains, and I wish to commend it to your Lordships, not from any political view, but because I believe myself that it is a just and honest Bill. I sincerely trust that it will receive the approval of your Lordships. In regard to any dependent, ancillary matter in respect of details, in the wording or the phrasing of the Bill, I will be ready to do my best to explain and to justify its provisions when we go into Committee; but I do not believe that your Lordships will not willingly and cheerfully give the measure a Second Reading.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

*THE MARQUESS OF LANSDOWNE: My Lords, if I venture to follow the noble and learned Lord on the Woolsack, it is certainly not because I have the temerity to try conclusions with him in regard to the various questions of legal interpretation on which he has spoken, but I do desire at the outset to lay before your Lordships one or two considerations, not at all of a technical character, which you may perhaps do well to bear in mind. We all listened with the greatest interest to the history which the noble and learned Lord gave of the legislation which affects these associations. In a case of this kind it seems to me that we cannot be too particular to bear in mind the history of the question and what may be described as the trend of legislation. There can be no doubt that, as the noble and learned Lord has pointed out, the trend of recent legislation has been strongly in the direction of a more liberal recognition of the rights and privileges of trade unions. I suppose the high-water mark of such legislation was reached when, in the years 1871 and 1875, the two measures to which reference has been made were introduced, the latter by my noble friend Lord Cross. Those measures went very far indeed in the direction of the recognition of trade unions, so far, indeed, that, if I remember aright, the noble Lord received the cordial approbation and thanks of the trade unions for the great service he had rendered them.

But those two measures stopped, at least, so it seems to me, very considerably short of the legislation to which you are now asked to agree. They certainly, as I understand them, did not confer on trade unions the wholesale immunities which they will enjoy under this Bill. The demand for further legislation has arisen in consequence of three well-known decisions of the courts, notably that decision of your Lordships' House which is generally referred to as the Taff Vale case. Since that decision there has been continuous pressure for further legislation. I do not think that the demand is by any means a surprising one, because it is the case—I rest myself upon the authority of Lord Dunedin's Commission—that that particular decision of the House came upon many people as a surprise.

Since 1891 Bills for the purpose of amending the law in regard to trade unions have been repeatedly introduced, and, recognising that the question had to be faced, the late Government appointed a Royal Commission, over which my noble friend Lord Dunedin presided. That in itself amounted to an admission on our part that further legislation might be called for. While that Commission was sitting there came the Bills of 1904 and 1905, which were passed by appreciable majorities. Then came the general election, when throughout the whole of the country in every constituency where there is an industrial vote this question of legislation to remedy the Taff Vale decision was brought before the voters, and the Labour vote was solidly cast in favour of such a change. We have now before us the Report of Lord Dunedin's Commission, in which a number of important changes in the law are recommended. With these facts before us there can be no doubt that legislation of this kind—I do not say the legislation embodied in this Bill, but legislation for the further relief of trade unions—is inevitable, and I venture to say that if we had been sitting on the benches opposite it would have been impossible for us to have avoided dealing with the subject.

I pass now to the Bill before your Lordships. I shall not attempt to discuss its legal details. Those will be dealt with by others who will follow me, but I do venture to call your Lordships' attention to this, that the Bill is certainly not the Bill of Lord Dunedin's Commission, and that it is certainly not the Bill which was originally proposed to Parliament by His Majesty's Government. That is especially the case in regard to the provisions dealing with the immunity of trade unions' funds. The noble and learned Lord, anticipating evidently that this argument might be used, dealt with it very gracefully and airily, but I must say I thought not in an absolutely conclusive manner.

I should like to remind your Lordships of what passed in regard to the Government Bill when it was first introduced. It was explained to the House by the Attorney-General, who, comparing the merits of the Government's proposal with those of another proposal which is virtually that now before your Lordships, said—

> "The proposition, I understand, is that, however great and ruinous the loss that may be suffered by an individual, however unjustifiable the conduct of the union which may occasion that loss, even in the case of that conduct having been carried out by means of the use of the funds which are controlled by the union, yet those funds, the property of the union, are not to be made liable to redress the claim consequent on that loss. You must fairly face that proposition. I invite the House, before they put a proposition of that kind into legislative shape, seriously to consider its effect. It would be impossible to confine it to these combinations. If you place them in this position you will have to deal with claims on the part of other bodies also entitled to the consideration of Parliament who may ask that the same privilege should be extended to them. I ask the House is there not this danger attending the alternative policy to which I have referred, namely, that in your anxiety to check one injustice you may create another?"

The Attorney-General went on to use another argument. He said—

> "We are a democratic country, we are a democratic Party, we are a democratic Parliament. But are you not proposing class privileges? In the old days of our law these immunities of class existed. They were the privileges of the aristocracy, and they have been abolished. Do not let us create a privilege for the proletariat. Are we sure that it is wise to remove from these unions, and particularly from the agents employed, a sense of responsibility? They are often swayed by passion, by excitement, and by natural feelings. Is it right that their agents should move about with the consciousness that whatever they do, the property of the union will not have to bear any loss? Is that feeling likely to produce caution, prudence, self-restraint, and regard for the rights and feelings of others?"

I apologise for reading that long extract, but it expresses so much better than I can the feelings with which I, and I cannot help thinking many others of your Lordships, regard this question of special immunities that I think it worth while to lay it before the House.

But, my Lords, in vain did the law officer of the Crown expatiate on the superior merits of the Government proposal. Within forty-eight hours that proposal was laid aside in favour of the very proposal which, in eloquent words, the Attorney-General had himself denounced. No Parliamentary episode, I will venture to say, was ever more remarkable than the manner in which upon that occasion the Prime Minister came forward and quietly put aside those of his colleagues who had spoken in the same sense as the Attorney-General, and expressed himself unreservedly in favour of the private Member's Bill which had been put forward in lieu of the Government measure. The colleagues of the Prime Minister had stated in public that nothing would induce them—this was the expression of one of them—to toe the line, but the Prime Minister came forward and toed it for them with a vengeance. The result is that the Bill now does precisely what the Attorney-General said should not be done, viz., secures absolute immunity for the funds of the trade unions.

Unless I read the measure wrongly, things may be done under the shelter of this provision which will bring ruin, bodily suffering, and mental anguish to individuals, and occasion loss, danger, and inconvenience to the community as a whole. Do not let it be supposed that any of us desire that obstacles should be put in the way of the use of trade union funds for the purpose of promoting strikes. Still less let it be supposed that any of us desire that that portion of the trade unions' funds which has been subscribed for philanthropic purposes should be liable to confiscation in consequence of the foolish or unauthorised acts of persons connected with those unions. We would all welcome a change of the law which would have the effect of safeguarding the benefit funds of trade unions, and I would remind the House that among the recommendations of Lord Dunedin's Commission was one designed to effect that particular object. But Lord Dunedin's recommendation has been ignored, and this Bill places the whole of the funds of trade unions beyond the reach of the law, even where the conduct of the persons connected with those trade unions has been of the most atrocious description.

Let me say that I am not at all reconciled to this change in the law by the fact that His Majesty's Government have extended a similar immunity to employers of labour. That may be a salve to the Ministerial conscience, but it seems to me to be at once an illusory and a most mischievous proposal. We have heard a good deal of these bilateral arrangements, and I confess I have no great confidence in them. In this case, at any rate, it seems to me idle to suggest that the two parties are really in a position of equality, and that because you say to the employer, "You may do what the person employed is able to do," you therefore give to the employer a fair and proper measure of protection. May we not ask what sort of an *eirenicon* is this which tells the two parties that they are free to fly at each other's throats and resort to what one Member of the Commission called the "arbitrament of private war?"

Then one word with regard to the question of peaceful picketing. Here, again, you have the admission by Lord Dunedin's Commission that some change in the law is desirable, but I confess that the clause on the table seems to me to be replete with dangerous possibilities. The noble and learned Lord gave us a slight dissertation on the question of peaceful picketing, and he said, if I remember aright, that peaceful picketing could not be done in a pleasant way. That is a very mild description of peaceful picketing as we are familiar with it. I would ask your Lordships' attention to what Lord Dunedin's Commission had to say upon peaceful picketing. They said—

> "What it comes to is this, that *watching* and *besetting* for the purpose of peaceably persuading is really a contradiction in terms. The truth is that picketing, however conducted, when it consists of watching or besetting the house, etc.—and it is to be observed that the statute places no limit to the number of persons attending for the purpose only of obtaining or communicating information or to the length of time during which such attendance may be maintained—is always and of necessity in the nature of an annoyance to the person picketed. As such, it must savour of compulsion, and it cannot be doubted that it is because it is found to compel that trade unions systematically resort to it. It is obvious how easy it must be to pass from the language of persuasion into that of abuse, and from words of abuse to threats and acts of violence. A considerable proportion of the cases of physical violence which occur during times of strike arise directly or indirectly out of picketing."

That description seems to me not quite consistent with the account given of the process of picketing by the noble and learned Lord on the Woolsack when he told us that in his view picketing need not be associated with the idea of violence or intimidation. With regard to the law of conspiracy I am not going to attempt to say a word. Impressed by the fact that Lord Dunedin, in his Report, says that his colleagues—

> "have found it impossible to reconcile the opinions and *dicta* which have been pronounced by judges and writers of authority in the matter,"

I shall not entangle myself in that morass.

I wish, however, to say a word about another clause in the Bill, that which deals with the definition of trade disputes. I confess that that clause seems to me to be one of a most alarming description. What does it say? It states that—

> "The expression 'trade dispute' means any dispute which is connected with the employment or non-employment or the terms of the employment, or with the conditions of labour, of any person; and in section 3 of the last-mentioned Act, the words 'between employers and workmen' shall be repealed."

That section was not in the original Bill of His Majesty's Government, and it seems to me to be of the most far-reaching description, and to extend the immunities of the Bill in the widest possible fashion, even to persons of whom it could not be truly said that they were parties to what can be properly called a trade dispute. When such a trade dispute occurs, when this entirely undefined condition of things arises, there is apparently to be a general release from what a writer on this subject has described as the "irreducible minimum of decent behaviour," which the States expects of its citizens. How is the public to become aware that this state of private war has arisen? There is no proclamation, and we may find ourselves at any moment with a trade dispute in progress, and while that dispute continues it is scarcely too much to say the law of the land remains in suspense.

This is a point which I know is regarded with the gravest concern by noble Lords connected with Ireland. Is it, or is it not, the case that under this wide definition of a trade dispute agrarian disputes in Ireland will be included? The Government say that is not their intention, but I hope when we come to discuss details that this may be established to our satisfaction. As at present advised I fail to see how agrarian disputes in Ireland, if the question of the employment or dismissal of a workman arises, can fall outside the scope of the measure.

I have now to ask your Lordships to join me for one moment in considering what the House of Lords should do with this remarkable Bill. It seems to me to raise in the most acute fashion a question which many of us must of late have been asking ourselves, the question to what extent this House is justified in barring the way to measures recommended by the majority of the House of Commons, but in our opinion detrimental to the public interest. I for one have always held that that question can admit of only one answer. I believe it to be the duty of your Lordships' House to arrest the progress of such measures whenever we believe that they have been insufficiently considered and that they are not in accord with the deliberate judgment of the country.

We claim not for this House but for the constituencies the right of passing a final decision upon such questions. I venture to remind your Lordships of the words which fell from a great leader of this House, the late Lord Salisbury, who once described this House as an instrument for reserving on all great and vital questions a voice for the electors and the people of this country. I ask you to apply that canon to the case before the House. I cannot help thinking that whatever our opinion may be of this Bill, we have to admit that the voice of the electors has been heard with regard to it.

Many extravagant proposals have been put forward upon the ground of an alleged mandate given by the constituencies to His Majesty's Government. I regard those claims, as a rule, with the utmost suspicion, but I think that if they can claim a mandate for anything they can claim a mandate for dealing with this question. If your Lordships were to refer this Bill back to the country, what would be the result? We can have no doubt as to the answer which the constituencies would give. I believe we should find the demand for a similar Bill renewed with greater intensity, and in a form embittered by the suggestion that the House of Lords was in conflict with the general desire of the working men of the country. There is another consideration which weighs with me, it is that referred to by the Lord Chancellor when he dwelt upon the fact that throughout the discussions on the Bill the employers of labour in Parliament did not, so far as I know, raise a little finger to arrest its progress. That, to my mind, is a fact full of significance, which we cannot disregard. I have, therefore, come to the conclusion that the only course open to this House is to pass this Bill.

May I be allowed to push the question even further, and say that in my humble opinion it would be unwise of your Lordships either to reject this Bill or substitute for it what would virtually be a different measure, whether the original Bill of the Government or any other. I cannot conceive that His Majesty's Government could accept such a proposal at our hands. They have, if they will pardon me for saying so, already run away from their own Bill; they cannot afford to run away again. What, then, would happen if we substituted for this Bill a widely different measure? There would be an appeal to the constituencies, not upon a clean-cut issue, but upon the rival merits of two Bills, both highly technical, both probably of a kind which your Lordships on this side of the House would not regard with any great favour. I should greatly deprecate an appeal to the people of this country upon such a ground as that.

We are passing through a period when it is necessary for this House to move with very great caution. Conflicts, controversies, may be inevitable, but let us, at any rate so far as we are able, be sure that if we join issue we do so upon ground which is as favourable as possible to ourselves. In this case I believe the ground would be unfavourable to this House, and I believe the juncture is one when, even if we were to win for the moment, our victory would be fruitless in the end. I say, then, that, so far as I am concerned, I shall not vote against the Bill. I regard it as conferring excessive privileges upon the trade unions, as conferring dangerous privileges on one class and on one class only, privileges in excess of what the most trusted exponents of their views have formerly asked for, privileges fraught with danger to the community and likely to embitter the industrial life of this country, but I hold also that it is useless for us, situated as we are, to oppose this measure. If, however, we allow it to pass this House we have at any rate the right to say that we disclaim all responsibility for its provisions, and to express our hope that the common sense of employers and employed may prevent any untoward consequences from attending the reign of licence which the recklessness of His Majesty's Government is about to inaugurate.

THE EARL OF HALSBURY: My Lords, I confess that I listened to the closing words of my noble friend's speech with the very deepest regret. I think it is somewhat new in the history of this House that it should be admitted that a Bill is injurious, dangerous, and unjust, and that nevertheless your Lordships are not to divide against it. I do not think that this is one of those cases in which I should challenge those with whom I have acted all my life, but I confess that I acquiesce with the greatest reluctance in the course which my noble friend has advised the House to follow. I feel that this Bill is most unjust, and that it is contrary to the spirit of English liberty.

I listened with the greatest attention to the speech of the noble and learned Lord on the Woolsack in moving the Second Reading of the Bill, and I confess I thought his history, beginning from the Norman Conquest, was somewhat fanciful. I do not think trade unions were known, or even contemplated, in those days. There is no doubt that great oppression was used in this country to to various classes of persons, and that the spirit of freedom gradually evolved our constitution as it stands; but the notion that trade unions have been suffering from injury and oppression since the Norman Conquest is one of those little fancies of rhetoric to which I think the noble and learned Lord is not accustomed.

The question is not one of technicalities; it is a very simple one indeed. It is whether one particular class of the community are, or are not, to be freed from the ordinary responsibilities of their actions in a trade dispute; and the only reason advanced for this amazing proposition is the idea which was said to prevail from 1871 to 1901 that trade unions could not be sued. Personally, I think that idea was a mistaken one. My noble and learned friend said it did not matter whether it was a question of principle or a question only of procedure. He will forgive me for saying that that is exactly the reverse of what I should have suggested. If it were only a question of procedure, then there was no significance at all in the immunity of trade unions. If it were a question of principle it would be a very different thing. But it is a question of principle which is now endeavoured to be put before your Lordships for acceptance. What is that principle ? My noble and learned friend said the world went on very well then, and there was no question about the liability of trade unions. In one sense that is true. It is true that there was no action brought for civil remedy. But were there no indictments, were there no proceedings against trade unionists for misbehaviour ?

I remember very well when I was at the bar hearing that distinguished judge, Lord Bramwell, who was not one of those who sat on this side of the House, saying that the distinguishing characteristic of English law from its earliest period was that a man's will was as much protected by it as his body ; and that if by intimidation or any other means you try to coerce a man's mind you are guilty of an unlawful act. What is it we have got to deal with here ? This Bill says in terms that if a man does wrong to another in the course of a trade dispute the Courts are to have no jurisdiction. I venture to say that so disgraceful a section has never appeared in an English statute before. You admit the wrong, but you say the man who does the wrong shall have immunity because he belongs to a privileged class. Was there ever such a thing heard of in a civilised country ?

It is said that a similar immunity is extended to the employer as to the employed. What does that come to ? In the case of a trade dispute those who administer the law are to retire, and these two are to be given letters of licence to do as they please with one another. I protest against such a principle of law being embodied in a statute, and I cannot think that people really understand what is at the bottom of this Bill. A great many of the employers were no doubt under the impression that the Bill which is now before your Lordships would never be proceeded with at all. I notice that the employers in the House of Commons only have been referred to. But what about the employers outside the House ? Have they had their minds applied to this Bill ? Was this particular form of legislation put by way of mandate at the General Election ? I doubt it ; and, even if it had been, I should very much doubt whether the full effect of it was contemplated.

By this Bill you are getting rid of one of the principles of English law. What is it that gives confidence in English law ? It is that it recognises the principles of justice. The principle of law contained in this Bill is absolutely contrary to the whole spirit of the Constitution. The noble and learned Lord on the Woolsack referred to the manner in which trade unions had gathered together their great funds, and incidentally I must say I thought it a little remarkable that these trade unions which are to get immunity by reason of an argument *ad misericordiam* are able to administer such a sum as £16,000,000. Would there be any difficulty in protecting the funds of trade unions which are used for the purpose of sick benefits and so on ? No one doubts that legislation directed to that object would be welcome. It is recommended by the Royal Commission. But that will not do. Why not ? Because the immunity is sought for funds which are used for what is practically civil war in another form.

In my opinion, this is a most serious alteration of the whole principles on which our laws are based. You are depriving English law of what has been its boast—its equality and its impartiality. It will not be possible to say in future that all people are equal before the law. My noble and learned friend on the Woolsack spoke of jurists and professors as being persons who had denounced this legislation. Well, jurists and professors have some knowledge of the jurisprudence of which they are talking. I know that in the opinion of some people ignorance is a qualification, and education a disqualification for the exercise of any rights; but, apart from those peculiar persons, I should have thought that the opinion of jurists and professors was of some importance in considering the legislation of the country. I notice that it was in no measured terms that jurists and professors pointed out the gross injustice of this Bill. No one has better disclosed the defects of the Bill than my noble friend, who has suggested that it should be read a second time. On what principle does it rest? Can anyone tell me what is the principle of this Bill?

What I cannot understand, and what nobody has yet explained, is why these particular persons—employers and employed—are to be placed outside the law. What example for such a proceeding is there in our Constitution? I seek in vain for an answer. Now, let me read the language of the Bill itself, for I confess I should have thought nothing more than this would be necessary to condemn it. Clause 4 provides that—

> "An action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union, shall not be entertained by any court."

Language fails me to say more of that than that it speaks for itself. Anything more outrageously unjust, anything more tyrannical, I can hardly conceive. My noble and learned friend said that in dealing with this question we are not to listen to jurists or to professors. If I refer to what was apparently the most prominent thing in his mind—namely, what the Attorney-General had said, what Mr. Asquith had said, and what Mr. Haldane had said—I care not at all for their utterances as a stone to throw at the Government of which they are members, but what I say about them is that they are gentlemen of high authority, of great learning, and persons whose views on such a subject are well worth consideration. I invoke their authority to show how utterly indefensible is the Bill now before your Lordships.

The Government have adopted what has been in the first instance repudiated. I do not care about the consistency of the politicians; all I ask is that the lawyers should explain why they have changed their minds. The question is whether this House ought to act in the way proposed. There is no pretence that the Bill is just and right. What it comes to is this—"We have a very large majority, and while we have it, and we hope to retain it for a long time, we will ask such a Bill as you shall not be able to undo hereafter." That is not a reason why this House should acquiesce in what your Lordships believe to be unjust. While I do not like to acquiesce in what I believe to be wrong, I do not desire to raise difficulties and make the conflict worse than it would otherwise be.

The Earl of Halsbury.

I have here for presentation a great number of petitions from persons who are certainly entitled to be heard, but I will not trouble the House with them all. One of these petitions says that the petitioners, whilst not approving of the terms of the Bill as introduced in the House of Commons by the Attorney-General, are prepared to accept its terms generally as a reasonable compromise between employer and employed. The Bill was, however, afterwards amended in such a manner that the petitioners consider that it is most unjust and detrimental to their interests as employers and to the interests of trade and commerce. That is a specimen of a great many petitions. I have petitions from the manufacturers of malleable iron and steel in the county of Lanark, from the colliery proprietors in the county of Monmouth, the owners of dry docks and ship repairers in the county of Monmouth and the adjacent counties, and the Clyde Steamship Owners' Association. The petitioners, representing important interests in England, Scotland, and Wales, describe the Bill as being likely to aggravate disputes between employer and employed, and interfere with trade and industry.

At the same time, it is suggested by most of them that they are and have been on terms of perfect amity with their dependants and workpeople, and that the effect of the Bill would be to stir up strife and destroy the harmony that has hitherto prevailed in their industries—

> "How oft the sight of means to do ill deeds
> Makes ill deeds done!"

If immunity is given to a certain class from the consequences of their acts, is it in human nature to resist the temptation? I understand that the strength of the trade unionists is 2,000,000, and that of non-unionists about 8,000,000. If the Bill passes, is it likely that these 8,000,000 will remain outside the organisations enjoying immunity? This is a Bill for the purpose of legalising tyranny, for the purpose of taking people outside the ordinary courts of law. I do not want to be a prophet of evil, but I cannot help saying that this Bill is likely to produce commercial distress, and extremely likely to produce the sort of warfare in an intense degree which it appears to be contemplated it may produce. It may be also that it will drive justice from her seat. I do not want to be a prophet of evil; I dare say that, notwithstanding such a Bill, we may recover ourselves, but I believe it will be after much suffering and much injury. It may also take us a long time to recover. I believe in my conscience that if Parliament passes the Bill they will strike a serious blow against the spirit of freedom which has hitherto reigned throughout our laws.

***LORD COLERIDGE**: My Lords, I trust that the gloomy prophecies of the noble and learned Lord may not be realised, and at any rate I hope I may succeed in persuading your Lordships that the law in regard to the matters dealt with in this Bill is in a very unsatisfactory, unsettled, and complicated state, and that this Bill does something to remedy that defect. We surely should always be agreed that the law which workmen are called upon to obey should be clear, and that they should thoroughly understand the law which governs their actions. We have heard, in the opening of this debate, that so far back as the year 1876 Parliament stepped in and altered the law of conspiracy in regard to trade disputes where crime was involved, and since that year workmen have been able to combine together, owing to special legislation in trade disputes, without being guilty of the crime of conspiracy so long as the acts which they committed would not be crimes if committed by one person. This Bill in the second clause simply assimilates the law as it now exists with regard to criminal law to civil liability in trade disputes.

As the law, as I understand it, now stands, there is this difficulty, that if workmen combine, and if they are impelled by what the law holds to be unlawful motives, although they commit no unlawful act, they are liable in a civil action if damage ensues as the result of their conduct, although if one man did the same thing with the same motive he would not be liable. That surely is a complicated state of the law. If one man, for instance, does merely that which is lawful, whereby injury is sustained by another, the motive with which he does that is quite immaterial. You cannot, by ascribing a bad motive, make that which is lawful unlawful; but it is according to our law otherwise when the persons combine. Then their motive, their intention, can be inquired into, although they commit no unlawful act, and if their motive is held by the Court to be bad, malicious, injurious, and if damage ensues, then an action will lie at the suit of the man who is injured. Surely this is extremely perplexing to everybody.

Every trade dispute, I care not whether it be a dispute between employers or a dispute between employers and workmen, is in the nature of an industrial war. In the year 1898 employers were told by the Courts of law that if their principal object was to benefit themselves they might commercially fight their rivals; they might boycott them, they might undersell them, they might drive them from their trade, although they knew that by doing so they would injure and ruin them. That was held in the case of employers, but in the year 1901 workmen, on the other hand, were told that if they combined with an intention to injure and did injure, although they committed no other unlawful act, they were liable in damages for the injury which was sustained. That made an inquiry into motive essential. In an industrial war you hit out for yourselves, but you intend at the same time to injure your opponent, and to find out which is the predominant motive, whether to benefit yourself or to injure your opponent, is surely a very difficult matter.

The answer is that juries have to decide that, and when the working man is brought into court at the suit of an employer, what does he find? To judge this extremely subtle and difficult question, which requires all the skill and impartiality that a man can possess, he finds himself confronted by a jury very probably selected by his opponent from a special class, a special jury naturally with feeling towards the class to which they themselves belong. This seems to me to be a powerful argument to justify assimilating the law as to civil liability to that as to criminal liability. That is all that the Bill does in Clause 1.

Clause 2 deals with picketing. This is really all it comes to. The law, as it stands, says that you may peacefully picket if you do so merely for the purpose of obtaining or communicating information; but if you go further and attempt to persuade it is unlawful. Now, what is the reason of that? Is it reasonable to tell working men that they may stand outside an employer's works for the purpose of telling workmen who are about to enter that there is a strike on, but that if they go further and advise the men not to go in, they are committing a crime in the eye of the law? Surely, this is manifestly unreasonable. It is a distinction without a difference which this Bill very properly takes away.

Clause 3 has become necessary having regard to the *dicta* of some eminent Judges in a particular case. If these *dicta* remained as the exposition of the law, it would be absolutely impossible to conduct a strike in accordance with the law, because, for instance, it was suggested that to call upon men to leave work was an illegal act if any one of them was unwilling, having regard to the power over their wills of the combination, and if any one of them happened to be working under a contract, to call upon him to leave work would be illegal and actionable, even if he was willing and anxious to leave work. Surely that is an irrational state of the law. A great deal has been said about its being improper, illegal, wrong, and I do not know what, to make it harmless for a man to persuade another to break a contract. In regard to that, all I can say is that every lawyer knows that that has been a disputed point; it is even now disputable. It has been a disputed point for years whether or not it is actionable for one man to persuade another to break a contract. There were two occasions, one in 1853 and one in 1881, when the Courts held that it was actionable for one man to persuade another man to break a contract, but on each of those occasions there was a Judge who differed from his colleagues; and I, perhaps, may be pardoned for saying that I have hereditary tendency to be rather convinced by the judgment of those two particular Judges than to be convinced by the judgment of the majority from which they differed. But, however that may be, it is enough to show that the point has been disputed and is highly disputable, and to make it quite clear in trade disputes that it shall not be an illegal act for one man to persuade another man to break a contract does not justify the heated accusations against this part of the Bill that have been levelled at it by opponents of this clause.

The main controversy has no doubt arisen round Clause 4. It is the clause which renders the funds of trade unions immune from action. Why is it said that this is a great novelty in legislation? Before 1871 we heard that trade unions were mere aggregations of individuals. They were clothed with no powers or rights, and they were subject to no legal liability. I do not believe, in spite of what the Commissioners say, that before 1871 you could have brought an action and attached the funds of a trade union, because a trade union was not an entity which could authorise an act, or could be the principal of any agent, and, therefore, in my humble opinion, before 1871 the funds were as immune as they would be under the provisions of this Bill. At any rate, those who passed the Act of 1871 clearly intended that the funds of trade unions should be immune. Why do I say that? I pass by the expressions in debate which were used at the time, but in the Act of 1871 a special provision was inserted permitting the trustees of the funds of trade unions to sue and be sued in respect of their property. That was to make an exception in favour of the unions in that sense, namely, that in respect of their property the trustees could sue and be sued, but that provision would have been senseless if the funds of the unions could be attached for any action of tort brought against the union. And the fact that that provision was put upon the Statute-book proves to me that those who passed that Act intended in other cases that the funds of unions should be immune.

From 1871 to 1901 trade unions were supposed to enjoy immunity from actions of this character, and did enjoy it, and why in the next thirty years all these terrible things should take place if this Bill passes I am at a loss to discover. In 1894 a Royal Commission on Labour made a Report, and in that Report, which was signed by Sir Frederick Pollock, an eminent jurist, appears the following sentence—

> "Persons injured by the action of trade unions and their agents can only proceed against the agents personally."

Therefore, it was quite clear that that Commission, and Sir Frederick Pollock among them, thought that at that time the funds of trade unions were immune from actions brought against them. Then came the fateful year of 1901. It was then held that a trade union could be sued in tort for an act done by one of its members, and that since 1883 a trade union could be sued and its funds attached by means of a representative action. This came as a complete surprise to everyone. Of course, it is the law of the land. No one doubts that; but certainly Parliament never intended it to be the law of the land, and certainly lawyers and laymen alike never thought it was the law of the land. This Bill simply puts back trade unions into the position which Parliament, lawyers, and laymen thought they occupied. That the public was not thereby endangered or damaged, that none of these prophesied consequences ensued upon this state of things, is shown by the fact that during those thirty years no effort was made in Parliament to render the funds which were then thought to be immune liable in actions of tort, which certainly would have been the first thing Parliament would have thought of if the immunity of those funds carried these terrible consequences in their train.

It is said that the Bill places trade unions in a perfectly privileged position. No person if he commits or authorises a tort is rendered immune by this Bill, whether he belongs to a trade union or not, and when we talk of the funds of a trade union I do not know that those funds are any more immune than the funds of a club, or funds gathered together for political purposes at the Carlton Club and elsewhere. They are as immune, but no less immune, than the funds of trade unions under this Bill. We have heard with satisfaction that although this is said to be a tyrannical Bill, and although a wrong is said by it to be done to the community, this House is going to pass the Second Reading. I only hope that the precedent of the Education Bill will not be followed, and that your Lordships will not, while doing lip homage to the principle contained in the Bill, mutilate it out of recognition in the Committee Stage. If you do, my Lords, I submit respectfully that your action will seem to be all the more unfair because in this House there is no representative of the class of work men whose interests are so vitally affected by this legislation. I trust, therefore, that the Bill will pass into law, if not in the actual form, at any rate in substantially the same form, as that in which it is now introduced to your Lordships.

*Lord KELVIN: My Lords, I trust that your Lordships' House will never pass a Bill which contains such a provision as this—

> "An action against a trade union, whether of workmen or masters . . . in respect of any tortious act alleged to have been committed by or on behalf of the trade union, shall not be entertained by any Court."

If a tortious act is alleged against a trade union, there is to be no redress. I speak in the sense of justice and injustice, liberty and coercion. I feel for the workmen who would lose their liberty if this Bill passed into law. It seems to me a distinct duty, in the interests of right against wrong, and in the interests of liberty and justice, that your Lordships should reject this Bill.

Lord MUSKERRY: My Lords, as I have placed a Motion on the Paper to move that this Bill be read a second time this day six months, I should like to say a few words. In the interesting speeches we have heard up to now, the interests of the trade unions have been mentioned and the interests of the employers touched upon, but not a word has been said about the interests of the great majority of the workmen in this country who do not wish to belong to trade unions. They are the very large majority, and I have not heard one word dealing with their interests. My only reason for putting down the Motion which stands in my name was to enter a protest on behalf of the great majority of the manual workers of this country who are not organised in trade unions. I am not taking into account in any way how this Bill may influence disputes between masters and men. What I wish to do is to call your Lordships' attention to the treatment that in every case is meted out by trade unionists to workmen who do not belong to their unions, and to point out that this Bill will put into the hands of trade unions a most dangerous weapon of tyranny and coercion. The number of workmen who do not belong to trade unions exceeds very largely those who are members of trade unions.

The Earl of WEMYSS: They are nine to one.

Lord MUSKERRY: I am assured by the noble Earl beside me that they are nine to one. I think it is generally known that trade unionists in nearly every case object to working with non-unionists, or, as they describe them, blacklegs. I do not think the contrary has ever been found to be the case, that non-unionists object to work with trade unionists. This Bill, I contend, will put this great majority of workmen—the non-unionists—at the mercy of the smaller body, or, I should rather say, at the mercy of the leaders of what I may describe as an organised minority. The non-unionists in many cases will have no option but to remain out of work or join the union. I think this is quite contrary to the principle of justice and the love of fair play which is supposed to exist in the English character. I must say I am astonished to find a measure of this description brought forward by a Government which professes strongly to advocate free trade, for I think your Lordship will agree with me that this measure is protection in its very strongest form. Peaceful picketing, as it appears in the Bill and as it has been described by the noble and learned Lord on the Woolsack, is one thing, but peaceful picketing as construed in the usual practice of strikes is quite a different thing. What the trade unionists employed in a strike may deem peaceful I think most Members of your Lordships' House and most other people would regard as acts of severe violence. I remember some years ago a person being brought before me on a charge of cracking a man's head. He told me that it was only a peaceful blow. I think you might apply the same interpretation of peacefulness to trade unions in the case of picketing. We may be told that His Majesty's Government have a mandate from the country to bring in this Bill, and my noble friend the Leader of the Opposition has stated that the subject has been before the constituencies. But the question is, Did the constituencies fully understand what they were dealing with? If we are to believe that this is a mandate from the country, then we are to believe that everyone of that large number of workmen who have declined to join trade unions, as well as that very numerous class of our fellow-countrymen who are affected by strikes, were content that the weapon of coercion should be placed in the hands of a privileged minority to be used against them. I do not think this is possible. I cannot believe that this measure was properly understood by those whom it will affect most, and I hold that the country should have a chance of considering and expressing its opinion upon the Bill before such a drastic measure becomes law. But after what my noble Leader said in his speech, indicating what he considered should be the procedure of this House, I have no choice but to ask permission of your Lordships to withdraw my notice of Motion for the rejection of the Bill.

*Lord JAMES of HEREFORD: My Lords, if I followed my own inclination there are reasons which would cause me to take no part in this discussion, but after the words of my noble friend, Lord Lansdowne, there would be a want of moral courage on the part of those who feel strongly on this matter if they remained silent. The noble Marquess, at the conclusion of his speech, stated that this Bill would pass, but that he and his immediate followers would bear no responsibility for the passing of it. That, I submit, is an untenable position. This House must bear the responsibility of its action, whether it supports the Bill or merely does not oppose it. The noble Marquess, with the strength at his command, cannot disclaim responsibility.

When in March, 1869, Lord Salisbury urged this House to pass the Irish Church Disestablishment Bill he did not tell noble Lords that they were not responsible. He urged them to bear the responsibility of taking the course which he felt they were compelled to take; and I venture, with great respect, to point out to my noble friend that he cannot disclaim responsibility if he allows this Bill to pass in its present form. The moral courage which animates him will, I trust, cause him to feel, before this discussion is over, that he must assist in moulding the Bill into a proper shape, and that he cannot occupy a position of non-interference.

The debate this evening recalls to my memory discussions of long ago, memories of thirty-five years ago, when this conflict first arose. At that time I did my best to support trade unions. I saw something of the drafting of the Bill of 1871, and I fought strenuously in the interest of trade unions during the progress of the Bill of 1875 through Committee, and I have sufficient recollection of what I then thought was right to express a hope now, and to bear the responsibility of saying so, that this Bill will receive a Second Reading. There is enough in the Bill to justify this claim on solid ground. The noble and learned Lord on the Woolsack, in his most graceful speech, referred to the provision as to peaceful picketing. I think that the protection of such picketing is but an act of justice.

I regret that for the moment my noble friend Lord Cross has left the House, for I wished to recall to his memory a scene that occurred on a warm day in August, 1875. It was on a Saturday afternoon, I recollect, when some forty of us remained true to the cause we were advocating, and pertinaciously claimed that peaceful picketing should be justified in the Bill we were considering. My noble friend Lord Cross was in joint charge of that Bill with the late Lord Cranbrook, and those two Members of the House of Commons were spokesmen for the Government who had introduced the Bill. They only refused the Amendments which we moved for the insertion of the peaceful picketing provision because, on the authority of Lord Cairns, a great Lord Chancellor, they declared their positive conviction that the sanction of peaceful picketing was to be found within the Bill. That opinion has since been declared to be wrong, and the promises and Parliamentary pledges of Lord Cross and Lord Cranbrook have never been fulfilled. It is but an act of justice, therefore, that this provision, which was then promised, should now be made clear; and personally I shall vote for the Bill in order to see that injustice removed.

But your Lordships will have to discuss the fourth clause very carefully and thoroughly, for the provisions therein contained one all-important. The passage or rejection of that clause will mark an era in legislation, and there can be no absence of responsibility. I am aware that we are not yet in Committee, but I think it is advisable that we should clear the air a little. The noble and learned Lord on the Woolsack said that the clause only declared the law as it was supposed to have been since 1871; but originally the question had never been mooted as to whether or not trade unions should be suable. Trade unions took their place in the ranks of the public generally; there was no asking for special immunity or privilege. At that time there was no procedure to deal with a body which was not incorporated, no power to recover damages in the Court of Chancery, and therefore it was useless to proceed against the trade unions. But now the trade unions ask for a special immunity for themselves and for no other body. The Primrose League is very much in the same position as a trade union, but if they were to do wrong they would be held liable. The same law would hold good for other bodies similar in kind, but here there is a question raised of immunity for one body only.

The Lord Chancellor used an argument to which a great deal of heed should be given. He said that since 1871 trade unions had not been sued until 1901, and that no harm had arisen in the interval. What does this mean as a question of legislative principle? Personally I at once bear testimony to the wisdom that has guided the counsels of trade organisations in the past. I have known many of them. There was Mr. Knight, the secretary of the most powerful union, the boiler makers' union, who for forty years so ruled his union in the cause of peace that no friction ever existed between the employers and these union men; and there are men like Mr. Abraham, of Rhondda, Mr. Richard Bell, and Mr. Shackleton. They have been wise counsellors in the checking of tortious acts, but can your Lordships legislate simply on the anticipation that there will be a supply of such men in the future? That is not the principle upon which legislation should be based. Your Lordships have to look to the future and to see that great principles should not depend on an accident, though I hope that such men as I have named will continue to guide the counsels of the trade unions.

It is urged that, as no tortious acts have been committed in the past, no tortious acts will be committed in the future. If this be so, what is the need of Clause 4? Indeed this clause is very material because it goes far beyond the question of trade disputes. It says in effect: "Simply register yourselves as a trade union; whatever wrong you may inflict, whatever destruction of property may be caused, we, the Legislature, give you our blessing to go forth and do it." While I support the Bill, therefore, I cannot refrain from pointing out that this clause is most far-reaching. I believe that every Party in the State is acutely interested in the decision to be arrived at in the passage of this clause. I appeal to my old Liberal colleagues to say whether they were in the habit of attacking the Tory Party because as the Party of ascendancy they had passed legislation to protect particular interests. I know I have aided in such attacks. We could appeal to history, and trace legislation by landowners for the protection of their interests. We used to point to the ascendancy of the Church of England pressing hard upon Nonconformists. Comparatively recently there was the maintenance of the Irish Church, the Church of the minority, to denounce. I ask Liberals what are they doing this evening, and to say whether they will ever be able to use such arguments again? They are not only sharpening an old weapon, but they are turning it against themselves. For I challenge them to point in the history of our legislation to one measure of the Conservative Party so full of class interest and so full of class protection as the fourth clause of this Bill? Still more confidently do I appeal to trade unionists —whatever shade of opinions they hold, they are of the democracy—they advocate its claims—and the claim of democracy has ever been that all men should be equal before the law. It is a democratic doctrine that ought never to be lost sight of, but will not this bird of the trade union Party come home some day to roost? Will they not be told that the democratic party which claimed equality with others were the people who had asked for immunity when their own interests were involved? I hope I shall not lose the confidence of those with whom I have worked through many past years by speaking in the sense in which I have thus spoken. But if thus it must be, so be it, for there is a worse thing than losing the confidence of one's fellowmen, and that is to lose confidence in oneself, and such would be my loss if I gave aught of support to the fourth clause of the Bill.

*EARL RUSSELL: My Lords, the noble and learned Lord on the Woolsack in introducing this Bill made a speech to which I am sure every Member of the House listened with great interest, not only because of the lucid exposition he gave but also because of the obvious sincerity which animated his utterance. The noble and learned Lord on this bench also made a speech on the Bill, and both of those speeches were Second Reading speeches to the fullest extent. They would have satisfied most of your Lordships that there was a case for some legislation.

The noble and learned Lord on the Woolsack made out, I venture to think, a good case for a Bill, but it did not seem to me, and it does not now seem to me, that the noble and learned Lord made out a case for the Bill which is before your Lordships. We were told that the object of Clause 4 was to restore trade unions to the actual position which they occupied before the Taff Vale decision. Those of your Lordships who are more familiar with that decision than I can pretend to be, will, I think, admit that Clause 4 introduces something which is very much larger and wider than any point covered in that decision, and gives very much wider licence to trade unions.

The noble and learned Lord spoke of the difficulties of picketing, and the obvious inconvenience to trade unions of not being able to stand outside employers' works and peacefully persuade people to work or abstain from working. That may be reasonable, but Clause 2 makes it lawful for any number of people to go to the private houses of workpeople and there wait and beset them all day in order to peacefully persuade them. I am not in favour of the clauses as they stand, and if your Lordships see fit to amend them I shall vote for their Amendment. It is, however, my intention to vote for the Second Reading.

I am unable to understand why your Lordships should not amend this Bill. There is one reason more than another which would justify Amendment, and that is that this is not the first mind of His Majesty's Government; this is not the considered mind of His Majesty's Government. The Bill which they introduced has been thrown over and another Bill taken up. The Bill now before your Lordships is not the Bill which was put forward by the Government as their Bill, and it appears to me that if ever there was a case when your Lordships might consider whether the Bill before you effected the objects which it was said to effect it is this case. I venture to think this Bill goes very much further than removing the grievances complained of, and I hope we shall see that it is limited to actually removing legitimate grievances.

*THE LORD BISHOP OF SOUTHWARK: My Lords, we listened just now to a speech from the noble and learned Lord opposite whose power of statement and eloquence are second to but few in this House, and who certainly impressed us with the earnestness of his feelings in regard to this matter. He spoke, as others have done, as a lawyer, and it is the possession by this House of a number of Members like himself that constitutes one of its great qualifications for dealing with a subject like this. Lawyers on a matter of this kind disentangle for us the issues and present them in a clear form; they remind us of analogous cases, of the principles which we have to respect; but I am sure noble and learned Lords themselves would say that there are cases, of which this is one, where it is eminently desirable that not the lawyers only, but members of other professions, and even, if one may say so, the plainest layman, ought to try to form some opinion. I was reinforced in that conviction by what fell from one of the greatest legal authorities in this House, the late Lord Chancellor, when he said that this is not a technical question.

I wish to say a few words upon what seem to me the aspects of the question which go rather beyond legal considerations. One expression which the noble and learned Lord used just now was to compare the case of trade unions with the case of other bodies. He said we ought not to do for trade unions what we were not prepared to do for other bodies. That is where I feel that the argument does not really convince. It seems to me that this is a matter in which you may fairly say there is no second case. There is no second case alike in scale, in scope, in importance to the case of the claims of the organised labour of the country. The old saying runs that you cannot frame an indictment against a nation. So it seems to me you cannot treat the wage-earning classes of the country, speaking through their representatives, as one among many bodies, as one among many parties with which the law has to deal. I quite admit, of course, that that does not mean that when we come to deal with the claim of the working classes we should cast on one side all considerations of justice and give to them without scruple privileges which other classes do not possess, but I do say it requires that we should look at the matter afresh.

What I think we ought to try to do in a matter of this kind is, first, to put ourselves into the position of those who make the claim. And when I try to do that I find, briefly, something of this kind. Those in whose interest this Bill is brought forward know that, according to our existing system, the matters upon which their welfare depends, upon which the subsistence of themselves and of their families depends, are determined and settled practically by struggle. That is the first point, and it is, I think, an indisputable point. That these things are settled by struggle seems to me to be perfectly plain. The second point is that they feel themselves the weaker party. It is common, I think, to speak of the overwhelming weight and force of the working classes, their possession of the franchise, and the rest. My own belief is that they habitually think of themselves as the weaker party.

I remember years ago entertaining at my own table some of the officials of a strong trade union, and I observed, not from any particular thing that they urged upon me, but from what they let drop, from their *obiter dicta*, that it was with them an assumption that they were, to use a common-place expression, the under dog in these controversies. They feel that they lack, as compared to those with whom when contention arises they are struggling, compactness of action. They know the ability and the powers of the great captains of industry. They feel themselves at a disadvantage there, and they feel also that they lack money resources. It is quite true that their half-crowns and their shillings run up into a large sum, but they feel, I think, that whereas in the struggle it is the abundance of others which is pinched and touched, what is pinched with them is their very life and its necessities. They feel that what can be done by employers of labour swiftly and strongly, and even secretly, can be done by themselves only slowly and cumbrously, and with difficulty. In all those ways I believe they act habitually under the sense of being the weaker party. Perhaps they think even more, and they would not be alone in thinking, that employers have in some way more coercive powers over individuals in their own class than the working classes have over their own competitors in their own class; and especially the weaker unions feel that the power of having suits directed against them, the number and strength of which it is impossible for them to forecast, and suits which may or may not be pushed home, is a constant menace to their strength and a drain upon their powers; and this may be a most effective weapon in the hands of employers.

Finally, they recognise that the general trend of bias in Judges and juries is towards the other side and adverse to their own side. It has been said, not by a working man, but by a great sociologist, that a union under existing circumstances has to fight with a halter round its neck. We have heard it to-night very eloquently said that justice is at stake, and that we are asking for the working classes what places them in an entirely privileged position. For my own part, I have a very strong belief in the sense of justice in the working classes, and I believe that when they ask for the things they are asking here they have in their mind a clear and plain answer to that plea and challenge of justice. What I conceive their answer would be is this. They would say that in the general poise and balance of the forces of society they have that against them which can only be rectified by some such immunity as is here asked for. That conviction is, I think, not unnatural on their part, but whether you think it natural or not, I would venture to say that their feeling is insuperable; you cannot get rid of it; you cannot prevent them from having it.

If I am right in that, you are in the position of confronting those who are apprehensive about their position. Their confidence is shaken; and can anyone wonder, when we hear the history rehearsed, and how the Taff Vale decision came like a clap of thunder in a clear sky, that this attitude of apprehension has gradually increased? If you want to remedy the confidence which is shaken, there is only one real way of doing it, and that is by giving confidence on your part. I daresay most noble Lords might wish that the working classes in this matter had asked for less; we might wish that they were less apprehensive; we might desire that they should have contented themselves with the findings of the Royal Commission. More than that, it is perfectly true that if this Bill is passed, we may have some bad times to go through. It is quite true that liberty and immunity may lead to strikes, and I, for one, have heard, with the profoundest regret at this time when we are discussing this Bill, the news from the North of the dissolution of the conciliation board in the coal trade, which, I think, was one of the very happiest advances ever made in the history of industry, and which has done so much for the welfare of all classes in the north of England. We may have something to go through, but nevertheless, my own feeling is this, that our best hope—I would almost say our only hope—of getting a really healthy and happy relation in these economic matters between the classes lies, not in the pressure of law which on the surface, but only on the surface, is exactly equal, not in the sort of restraints which, with working-class opinion in the condition that it is, chafe and raise suspicion, but rather in the self-government of the class itself, and, in particular, in the self-restraint and wisdom of the great unions in which their labour is organised. I believe myself with all my heart that the welfare of the working classes is bound up with their organisation. If we take our minds back to the earlier times, we cannot help realising that there has been a wonderful improvement on the whole in the character of industrial struggles. The barbarism which beset the earlier phases has, just in proportion as the class gained confidence, just in proportion as their apprehensions were relieved, disappeared from those struggles. I admit that it recurs sometimes. We all regret it. The noble and learned Lord on the Woolsack spoke words with regard to that which I hope will reach far; but progress has been made. By trusting the self-respect of a great class coming into power and conscious of the responsibility upon which it enters, you can, I believe, achieve much. At any rate, my own conviction is that that is the only way forward. Therefore, not merely grudgingly, not merely because I cannot help it, not merely because I think it will damage this House to resist, but willingly and readily I shall give my vote in favour of the Second Reading of this Bill.

*LORD BALFOUR OF BURLEIGH: My Lords, I cannot help feeling, and I think many noble Lords must feel, that to a certain extent there is an air of unreality about the proceedings in which we are engaged at the moment. We have apparently all agreed, or at any rate very nearly all agreed, that for some reason or another this Bill is to be read a second time. The roads by which those who have spoken have arrived at that decision have been rather diverse, but at any rate apparently every one who has spoken has come to the conclusion that there should be no division upon this stage of the Bill. The noble and learned Lord on the Woolsack confessed to the paternity of the measure with most touching pride, and, if he will allow me to say so, I do not think this measure, indefensible as I regard it to be in some of its details, could have received a more favourable or judicious introduction to this House than that which it received at the hands of the Lord Chancellor.

The noble and learned Lord warned us not to pick holes in the details of the Bill, because that would be a task which would be appropriate to a subsequent stage, but the main plea which the noble and learned Lord urged in favour of the Bill was that it met a just demand. The noble Marquess on the Front Opposition Bench agreed to a great extent with that argument, because he at any rate said that the late Government had felt that there was a case for an amendment of the law, that they had appointed a Royal Commission, and that if they had been sitting on the Benches opposite they could not have resisted a claim to deal with this subject. But the question which I want to put to the noble and learned Lord on the Woolsack, and in a lesser degree to the noble Marquess, is this. Does the Bill not go further? Does it not do more than is absolutely necessary to meet that just demand? Admitting the justice of the demand, is it not likely that we shall find, when we come to discuss some of the clauses of this Bill, that there are things which it would be extravagant to describe as just? In my opinion, they are at least capable of being a machine by which great injustice may be wrought.

I do not think that, although we pass the Second Reading of the Bill with practical unanimity, we are thereby prevented from at any rate criticising some of the proposals in the clauses and even going to the extent of amending them. All I understand by the Second Reading of a Bill is that this House admits that the present state of the law is not satisfactory. A Royal Commission has reported, and we agree that something has to be done. But I would venture very briefly in outline to endeavour to indicate to your Lordships why I think that, in some respects at any rate, this Bill goes beyond the necessity or reasonableness of the case which has been made out. I maintain that this Bill in some of its provisions goes far to destroy two most important principles which we ought to guard with the most jealous care—principles which, to my mind, are at the very root of our Constitution and our freedom.

I maintain that if this Bill does not destroy, it goes far to infringe the liberty of the individual, and, beyond all question, in one of its clauses—Clause 4—it absolutely destroys the equality of all His Majesty's subjects in the eye of the law. In my opinion, there are other provisions which go far to legalise what I cannot describe in milder terms than heartless cruelty and persecution, and those things may be inflicted, in pursuance of trade disputes, on all who are not within the circle of the privileged class. I venture to suggest to your Lordships that if you once abandon the principle that an individual workman should be free to join or not to join a trade union, that he should be free to do as he pleases with his own labour, you will take a step very difficult to justify and almost impossible to retrace. It is said that strikes are an evil. So they are. All war is evil. But, admitting that strikes are a necessity of the times, and admitting that that necessity ought to be recognised, surely they ought to be conducted with due regard to the fact that we are the citizens of a civilised State, and we ought not to be relegated to a practice of private war between employer and employed, both parties being allowed to work out their vengeance one upon the other according as their strength lies.

It has been a commonplace among the speakers to-night that what is described as peaceful picketing is not to be objected to. I doubt whether picketing is always capable of being described as peaceful, but if the Bill carried out what its promoters professed, I should not have so much objection to it. As first introduced it had a clause which specially provided that the picketing which the law sanctioned was to be done peaceably and in a reasonable manner. There were discussions in Committee as to the number that might attend. If I remember rightly, the Attorney-General said he would accept the Amendment that picketing should be conducted by a reasonable number of people, at the same time saying he did not think it necessary, because if the practice was conducted in a reasonable and peaceable manner that implied that it should be done by a reasonable number. Not only was no effect given to promise, but on a subsequent day the words "peaceably and in a reasonable manner" were proposed to be left out, contrary, as I understand, to the wish of the Government and of the Attorney-General; and in the course of the speech which he as a law officer then made, nothing could be stronger than his condemnation of the very proposal which His Majesty's Government have now agreed to, and which they are now defending through the noble and learned Lord on the Woolsack as a just demand.

As this Bill is introduced into your Lordships' House the expression, 'peaceful picketing,' which it is supposed to legalise, is a dishonest description of the clause as it stands—at least, it is a most misleading description. I am astounded to see put before us as a just demand a provision which legalises not exactly the breaking of a contract, but the inducing of other people to break a contract. In my humble opinion the only difference between breaking a contract oneself and inducing another person to break a contract is that the latter of the two is the meaner and more indefensible. The noble and learned Lord on the Woolsack referred to an incident which occurred at Whitehaven where Irish labourers were brought over in ignorance of the circumstances existing there; and there was another case where, according to the description of the Lord Chancellor, an employer had been guilty, through sharp practice, of robbing his employees, and to get rid of that difficulty the workmen had struck and others were brought in by advertisement. I have no sympathy with either of those practices; but surely some way could have been found of meeting them other than the introduction of a clause which says that it shall be no crime to induce other persons to break a contract of employment. Those words, if they are allowed to stand, will be an absolute disgrace to the Statute Book of this country.

In my humble opinion a contract is a sacred obligation. Our commercial greatness is due largely to the fact that we regard our contracts as binding. If we recognise breaches of contract this new principle in ethics may go a great length. And is it necessary for the case? Most of these contracts are of short duration. As I understand it, the only difference that this clause would make in the conduct of a strike is this, that it would in future be lawful to induce workmen to come out at a day's notice instead of at a week or a fortnight's notice. Is that a sufficient reason for putting a declaration on our Statute Book that it is to be legal to break a contract? I give the Government every credit for desiring to check injustice, but I do say that the fourth clause of this Bill, as it stands, is creating a class privilege. Immunities of different classes have existed at varying times throughout our history. They have brought discredit on those who have been supposed to benefit by them. They have been abolished, and rightly abolished, one by one, until at the present time we can pride ourselves that every man is equal in the eye of the law. But here you are for the first time being asked by large classes of the community distinctly and by Statute to create new privileges for their benefit.

If the Bill passes as it stands the effect will be that a sense of responsibility will be withdrawn from those who have to conduct strikes. The right rev. Prelate said that in recent years strikes have been more moderately conducted than they were before. I believe that to be the case. But, unlike him, I suggest that that is the case because wrongful acts have been restrained by law, and I ask, is it right that those who have the responsibility of guiding and organising great masses of their fellow workmen should feel that no responsibity rests upon them? I think you will be going far to introduce a state of warfare when strikes unfortunately arise. What we all want to do in this matter is to produce caution and self-restraint, to produce regard for the feelings of others, and I think you are going by this Bill a very long way, not to do that, but in the contrary direction, and to give licence where there ought to be restraint, and to encourage law breaking where there ought to be obedience to the law. I feel these considerations very strongly. I could not vote with anyone who wished to throw out this Bill on Second Reading, because I admit that there is a demand for an alteration of the law as it now stands. But, at the same time, if I admit that there is a case for some alteration of the law, I hope it will not be suggested that I admit there is a case for such a Bill in all its details as that which is on the Table.

*THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, this debate has been largely carried on, very naturally and very properly, by noble and learned Lords who are far more competent than most of us to deal with the intricate and important legal points involved. But in view of the fact that the noble Lord who has just sat down is not, strictly speaking, a noble and learned Lord, although I think he might be so called as a term of general description, and in view also of the fact that the noble Marquess the Leader of Opposition intervened in the debate at an early stage, it is perhaps right that, in the absence of my noble friend the Leader of the House, who is unavoidably kept away to-day, I should say one or two words in support of the Second Reading of this Bill.

The noble Marquess Lord Lansdowne admitted that had he and his friends been sitting on these benches they would have felt it necessary to bring in some kind of legislation on this subject, and we, of course, were actuated by a similar feeling in view of the famous Taff Vale decision. In spite of everything that has been said in the course of this debate, I think it must be generally agreed that from the year 1871 up to 1901 there was a general impression throughout the country that trade unions could not be sued. The noble Marquess, in speaking of the funds of trade unions, seemed to indicate an opinion, although he did not actually express it, that the difficulty might be met by dividing the funds into benefit funds and strike funds. That is a view which has never been taken by the trade unions themselves, and I think it is right to say it has not been taken by them very largely on this ground, that they dread the building up of large funds to be explicitly devoted to strike purposes as a kind of war chest, because they believe, and, I think, most reasonably believe, that the mere fact of the existence of a fund of that kind would make it very often difficult to avoid strikes in cases in which, under present circumstances, they might be avoided.

Two courses were open to us, holding the view we did. One was to bring in a measure which would ensure practical immunity to trade unions by causing them to form committees which could, either by passing preliminary resolutions or by acts of subsequent repudiation, save their funds from loss caused by the acts of their officers or subordinates. That, as we believe, would have secured a very practical kind of immunity to trade unions. The alternative was to do what we have done—namely, to prohibit all actions of tort against associations either of labourers or of employers. We are not in the least ashamed to say that in adopting the latter course we were very largely swayed by the fact that the trade unions as a whole preferred the latter of those alternatives. We see nothing to be ashamed of in the fact that we placed those two alternatives before Parliament and the country; and finding, as we did, that the preference of those mostly concerned was strongly indicated in favour of the latter—although we believed that in practice there was very little difference between them—we decided accordingly to change the original proposal as submitted by my hon. friend the Attorney-General, for which, as my noble and learned friend on the Woolsack has said, he—as he had a perfect right to do—expressed as a lawyer his personal preference. I repeat, we see nothing whatever to be ashamed of in that. We decline altogether to assume the white sheet of a penitent on that ground, and we believe that the discussions which have taken place in the other House on this subject, and the very fact that the alternative propositions were brought in, have been of distinct advantage in arriving at a satisfactory settlement of the whole question.

There is no need for me, at this hour of the evening, to say anything of the claims of trade unions to the consideration of this House, and of the public generally. Those claims, I think, are, generally speaking, admitted by noble Lords opposite, if not quite to the same extent as by ourselves. But there are one or two points which were raised by the noble Marquess and others on which I wish to say a word. The noble Marquess seemed to think that if picketing were legalised it could not be peaceful. Surely the noble Marquess must forget that by the Act of his own Government in 1875 picketing is allowed for purposes of obtaining information, and he seems to forget also that all the provisions of that Act which prevent what is known as watching and besetting are still in force, and are not in any way interfered with by this Bill. Therefore the most disagreeable forms of picketing can no doubt be still checked. If the number of people engaged in picketing, the time at which it takes place, or the conduct of the people who carry it on—if these are of such a character as to show that not persuasion but intimidation is intended, the persons concerned will lay themselves open to the punishment which in these circumstances we all agree they ought to receive.

But it may be asked, and I think the noble Lord who has just sat down did ask, why was it that we were not content to leave the words "in a reasonable manner" in the Bill? I confess I have been strongly impressed all through by the point of view which was stated very clearly by my noble and learned friend Lord Coleridge, that in this matter trade unions know very well that when they come before a jury on a charge of this kind they cannot in the nature of the case expect to meet with a perfectly unprejudiced view. I hope I have a proper British respect for trial by jury, but nobody who has presided over the administration of Ireland for some years as I have can have an unqualified admiration for untempered trial by jury. As noble Lords opposite well know, in Ireland in troublous times, not I hope now, but in past troublous times, there were many cases in which it was exceedingly difficult to get a jury to convict. In order to get juries to convict you had either to exercise the right of challenge by the Crown to an almost ludicrous extent or the prisoner had to be taken away and tried somewhere else, where the jury, not being prejudiced in his favour, might possibly be prejudiced against him. That is one of the cases where trial by jury to some extent breaks down; but it may break down in the reverse sense if a man is brought before the kind of special jury which my noble and learned friend described, formed of people of a different class from his own, and perhaps somewhat extra full of the prejudices of that class. Consequently, to leave in words such as "in a reasonable manner," words upon which no standard meaning, so to speak, can be set, but which may be conceivably interpreted by people who think all picketing unreasonable and even wrong, would not be likely to lead to a final settlement of this question, and therefore we were glad to eliminate the words from the Bill.

The noble Marquess seemed to imply that he believed it was still possible that the provisions of this Bill might apply to agrarian difficulties in Ireland. I certainly thought that the discussions which had taken place on that subject in the other House proved that that fear was groundless. If I remember aright, Sir Edward Carson expressed himself quite satisfied, from his point of view, that there was no possibility that this Bill could apply to what are known as agrarian disputes, either in Ireland, or, for the matter of that, anywhere else. The noble Marquess made a very strong speech against the Bill, but he not only followed up his attack by a declaration that he was not going to vote against the Second Reading, but he seemed to think there was a strong case for passing the Bill without any substantial Amendment; and the grounds on which the noble Marquess based that decision were that in his belief this matter had been subjected to the deliberate judgment of the country and that the country had decided in its favour as it stands.

The noble Marquess appeared to lay down the proposition that the duty of this House is to ask itself the question in every case whether a particular measure of which it disapproves has been submitted to the deliberate judgment of the country, and, if it is able to answer that question in the affirmative, it ought to pass it. Well, my Lords, that is a proposition with which, from one point of view, everybody will agree; but we on this side of the House, I am afraid, are not disposed to agree that the mere opinion of your Lordships on such a subject as that can be taken as entirely conclusive. That would be to make your Lordships judges in your own case. I can quite understand that the noble Marquess approves the arrangement. He dislikes all bilateral arrangements. That is preeminently a unilateral arrangement. It applies when noble Lords opposite are sitting over there, but it does not apply when they are sitting on these benches. I have never heard that the House has been asked, when the noble Marquess has been sitting here, seriously to consider whether a particular subject had, in the form in which the noble Marquess asked the House to accept it, been submitted to the judgment of the country and approved by the country as a deliberate act. I am obliged, therefore, while rejoicing that the noble Marquess takes that view about this particular measure, to guard myself against its being supposed that we admit that the mere judgment of noble Lords opposite as to whether a measure is, or is not, the deliberate judgment of the country, can be taken as justifying them in casting it aside if they arrive at an adverse decision.

I trust that in this particular instance we shall arrive at agreement not merely on the lines of the Bill, but on the Bill as it stands. We have had some very melancholy forebodings as to the prospect of labour disputes in this country if this measure is passed. I cannot help thinking that in some respects the debate has been carried on by the opponents of this Bill in a very exaggerated form. All through it seems to have been assumed that members of trade unions will escape the liability to which all the rest of His Majesty's subjects have to bow. As a matter of fact, there is nothing whatever in this Bill which prevents any individual from being prosecuted criminally or having an action brought against him if he breaks the law or if he commits a wrong against a person or persons. All through that aspect of the question seems to have been ignored, and it has been assumed that we are placing these people in an entirely separate and privileged class. What is done is to place trade unions in the position in which we always believed they were—that is to say, in the position of a body or combination of people who cannot sue or be sued. There are, as we all know, bodies of people, corporations, who can sue and be sued; there are other bodies of people, clubs and the like, who cannot; and what we do is to place trade unions in the second category. But we are bound to protest against the assumption that we take trade unionists as such and confer upon them an immunity which is not enjoyed by any other class of His Majesty's subjects.

On Question, Bill read 2^a and committed to a Committee of the Whole House.

House adjourned at Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS.

Tuesday, 4*th December*, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Falkirk and District Tramways (Extensions) Order Confirmation Bill. "To confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Falkirk and District Tramways," presented by Mr. Sinclair; and (under Section 9 of the Act) ordered to be read a second time upon Wednesday, 12th December, and to be printed. [Bill 361.]

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).

Petition from Barton le Street, against alteration of Law; to lie upon the Table.

INDO-CHINESE OPIUM TRAFFIC.

Petition from Low Leighton, for suppression; to lie upon the Table.

LICENSING ACTS.

Petition from Moston, for alteration of Law; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petition from Kidderminster, in favour, to lie upon the Table.

RETURNS, REPORTS, ETC.

CONVOCATIONS OF CANTERBURY AND YORK (LETTERS OF BUSINESS).

Return [presented 29th November] to be printed. [No. 370.]

STREET BETTING (CONVICTIONS).

Return [presented 29th November] to be printed. [No. 371.]

INTERNATIONAL LABOUR CONFERENCE (BERNE, 1906).

Copy presented, of Memorandum on the International Conference on Labour Regulation held at Berne, September, 1906, with the Text of the Documents signed at the Conference [by Command]; to lie upon the Table.

SUPERANNUATION ACT, 1884.

Copy presented, of Treasury Minute, dated 6th November, 1906, declaring that Alexander Robertson, Telegraph Clerk, Sixth Class, Post Office, was appointed without a Civil Service Certificate through inadvertence on the part of the Head of his Department [by Act]; to lie upon the Table.

SUPERANNUATION ACT, 1887.

Copy presented, of Treasury Minute, dated 27th November, 1906, granting to William Ward, Second Division Clerk, War Office, a retiring allowance under the Act [by Act]; to lie upon the Table.

COLONIAL REPORTS (ANNUAL).

Copy presented, of Colonial Report No. 511 (Sierra Leone, Report for 1905) [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Imperial Service Order for Police Officials.

MR. VILLIERS (Brighton): To ask the Secretary of State for the Home Department if the Imperial Service Order and medal granted to officers and servants of the Post Office and other civil services can also be extended to officers and men of the police force.

(*Answered by Mr. Secretary Gladstone.*) No, Sir, I fear not. The statutes of the Order and medal limit it to members of the civil services of the Crown, and these do not include the police.

Increase of Salary of Telegraphist at Llandudno.

MR. IDRIS (Flint Boroughs): To ask the Postmaster-General whether he is aware that a telegraphist at Llandudno, aged twenty-two years, who is compelled to perform counter duties dealing with money order and savings bank business, is in receipt of 18s. per week; whether he will take into consideration that this officer remained unappointed four years, and that he rendered useful service during this period, and consider the same with a view to granting an increase in his salary.

(*Answered by Mr. Sydney Buxton.*) The sorting clerk and the telegraphist to whom the Question refers is on a scale of pay rising to 44s. a week. He will, in the ordinary course, receive an increase of salary next month. His duties are the ordinary duties of his class.

Promotion in Dundee Post Office.

MR. WILKIE (Dundee): To ask the Postmaster-General whether a petition was forwarded from the Dundee branch of the Postal Telegraphs Clerks' Association to the Secretary for Scotland in May last, asking that senior officers should be employed on the writing room duties in Dundee; whether he is aware that promotions have been given to junior officers on these duties at Dundee within the past few years out of proportion to their number; and whether he will consider the advisability of instituting a change in the method of selecting men for these duties.

(*Answered by Mr. Sydney Buxton.*) The memorial was duly received by the Secretary to the Post Office in Scotland, and he informed the memorialists in reply that the general question of the rotation of writing duties was under consideration at headquarters and that, until a decision was given, he could not give them a definite answer. I am myself considering the general question, and I hope to be able to give a decision soon.

Vacancies for Male Learnerships in Dublin.

MR. J. P. NANNETTI (Dublin, College Green): To ask the Postmaster-General if there will be a competitive examination early next year in Dublin for male learners; and, if so, how many vacancies will be reserved for postmen in the limited section.

(*Answered by Mr. Sydney Buxton.*) An open competition for six male learnerships in Dublin will be held in January. Postmen candidates will not in future have to wait their turn on the learner class, but will be allowed to compete for places as sorting clerk and telegraphist direct. There will thus be no places to offer to postmen until those who are now waiting on the learner class have received appointments.

Suggested British Consul at Lorient and Hennebont.

MR. L. HASLAM (Monmouth Boroughs): To ask the Secretary of State for Foreign Affairs whether he has received the promised Report as to the desirability of appointing a consul (unpaid) to represent British interests at the ports of Lorient and Hennebont.

(*Answered by Secretary Sir Edward Grey.*) Sir H. Austin Lee has made certain recommendations with regard to consular appointments in France, but has so far not expressed his views upon the hon. Member's suggestion. His trip is however, not completed, and I am stil, awaiting further proposals from him.

Tranfers of Telegraphists.

MR. WOOD (Glasgow, St. Rollox): To ask the Postmaster General whether any general rule exists that determines the position of telegraphists transferred from one office to another, at their own request or for departmental purposes, with reference to the duties expected of them; and whether, for the allocation of the quantity and quality of work, the whole period of an officer's service is computed, irrespective of the time spent in any particular office.

(*Answered by Mr. Sydney Buxton.*) Transferred officers are employed as a rule on duties generally performed by officers of similar service and pay. A period of probation may be necessary after transfer; but, generally speaking, the allocation of duties depends upon the qualifications of the officers concerned, and is not governed solely by seniority or length of service.

Amount of Foreign Meat Condemned.

Mr. RIDSDALE (Brighton): To ask the President of the Board of Trade if he will issue a Return of the amount of refrigerated and frozen beef condemned by the inspectors since 1st July, 1906, with the ports of origin, where known, and the names of the consignors.

(*Answered by Mr. John Burns.*) Perhaps I may be allowed to answer this Question. The Local Government Board have not in their possession the information desired, and it would be necessary, in order to obtain it, to apply to some 1,800 local authorities in England and Wales alone. It is very doubtful whether the information could in all cases be obtained, especially as regards the names of the foreign consignors. It appears to me that the Return would be so far from being trustworthy and complete that it would not serve any useful purpose. In these circumstances, I regret that I do not see my way to assent to its being given.

Imported Meat and the United States Beef Trust.

Mr. RIDSDALE: To ask the President of the Board of Trade if he can say what proportion of refrigerated meat imported into the United Kingdom is controlled by the United States Beef Trust.

(*Answered by Mr. Lloyd-George.*) Taking the average of the last five years, a little over half of the fresh beef imported into the United Kingdom has come from the United States. I am unable to say what proportion of this was controlled by the Beef Trust.

Uncertified Deaths.

Mr. CORRIE GRANT (Warwickshire, Rugby): To ask the Secretary of State for the Home Department the number of deaths the causes of which were not certified in each of the years from 1902 to 1905.

(*Answered by Secretary Gladstone.*) The numbers are as follows:—In 1902, 9,654; in 1903, 8,721; in 1904, 8,882; and in 1905, 8,446.

Repair of Roadway adjoining Old Palace Yard.

Mr. STUART WORTLEY (Sheffield, Hallam): To ask the First Commissioner of Works whether the roadway between Old Palace Yard and Millbank is repairable by the Office of Works; and, if so, when it is intended to replace the present ancient and worn-out granite setts by pavement of a more modern and less noisy kind.

(*Answered by Mr. Harcourt.*) The portion of the roadway only between Old Palace Yard and College Street is repairable by the Office of Works, and will be repaved shortly by the London County Council under Section 8 of the London County Council (Improvements) Act, 1900.

Chairmen of Library Committees.

Mr. HORNIMAN (Chelsea): To ask the President of the Local Government Board whether there is any case or cases in which a member of a library committee co-opted under Section 8 (1) of the London Government Act, 1899, has been elected chairman of the said committee; and whether the Board would see any objection to such an appointment.

(*Answered by Mr. John Burns.*) I am not aware of any case of the kind, but I see no objection to the arrangement. I have, however, no jurisdiction in the matter.

QUESTIONS IN THE HOUSE.

Chocolate Making at Deptford.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary to the Admiralty how much chocolate has been manufactured at the Deptford victualling yard since December, 1905; how much of this was for use in the Navy; and how much of this amount was for the (Military) Indian State Office.

The SECRETARY to the ADMIRALTY (Mr. Edmund Robertson, Dundee): No chocolate has been manufactured at the Deptford victualling yard since December, 1905, last year's conversion having ceased in that month. Climatic conditions render it inadvisable to manufacture except in the winter months. The manufacturing season for 1906–1907 is about to commence, and about 800,000 lbs. will be manufactured, all for Navy service.

Flour Stocks at Deptford.

MR. T. F. RICHARDS: I beg to ask the Secretary to the Admiralty whether he is aware that, on 27th November, the s.s. "Helmesmen" was at Deptford waiting to convey flour to the ships "Swiftsure," "Triumph," and "Illustrious," which were lying at Portland, and on that date there was not one pound of flour in stock; and whether, in view of the detriment to the public service of such want of attention to Admiralty orders by private contractors, he will consider the advisability of using the flour mill at Deptford to its fullest capacity to avoid this state of affairs in future.

MR. EDMUND ROBERTSON: There has not been any failure on the part of the contractors for flour to furnish supplies promptly. The short delay in this particular instance was on the part of the Admiralty in deciding on the merits of the different samples, and the contractors commenced supplies as soon as the order was placed. The stocks of flour at the victualling yards are kept low advisedly, as it is of importance that this article should be issued in a perfectly fresh condition. There is no difficulty in obtaining ample supplies at short notice from the trade, whenever required, and it is not proposed to revert to the old system of direct Government manufacture.

Maryhill Barracks, Glasgow.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary of State for War what accommodation exists for cavalry at Maryhill Barracks, Glasgow.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): These barracks were not intended for cavalry, the appropriation being as follows:—1 Infantry Battalion, 1 Depot Royal Field Artillery and Headquarters, West of Scotland Artillery. The latest returns show the following number of cavalry as quartered there:—5 officers, 151 men, 149 horses. They are the overflow of the regiment whose headquarters are at Piershill which is too small to hold an entire cavalry regiment.

MR. PIRIE (Aberdeen, N.): Is it the intention of the Government to discontinue the Maryhill barracks as a cavalry station? Will the right hon. Gentleman take into consideration before coming to a decision the undesirability of leaving a large centre like Glasgow without cavalry?

MR. HALDANE was understood to reply that the whole matter had been considered.

LORD BALCARRES (Lancashire, Chorley): Will the troops be removed from Glasgow when the Scots Greys go from Edinburgh?

MR. HALDANE: It is highly probable.

MR. PIRIE: Will the House have an opportunity of discussing this question before a final discussion is taken?

MR. HALDANE: My hon. friend can move a vote of "No Confidence" on the Estimates.

MR. MACVEAGH (Down, S.): Has the right hon. Gentleman's attention been called to Lord Rosebery's threat, that if the cavalry are removed from Scotland he will become a Home Ruler?

Sub-Targets for the Army.

MR. GUY BARING (Winchester): I beg to ask the Secretary of State for War whether applications have been received from general officers commanding and officers commanding battalions for the issue of sub-targets for the use of the troops under their command.

MR. HALDANE: The reply is in the affirmative.

MR. GUY BARING: I beg to ask the Secretary of State for War whether the Governments of Russia, Germany, and France are experimenting with the sub-target with a view to its adoption in their armies.

Mr. HALDANE: I have no information on this subject.

Volunteer Camps.

*Mr. McCRAE (Edinburgh, E.): I beg to ask the Secretary of State for War if he can state the number of Volunteers, officers, non-commissioned officers, and men, respectively, who attended camp for fourteen days training with the Field Army Brigades for each of the last three years.

Mr. HALDANE: The numbers are as follows:—

	Officers.	N.C.O's and Men.
1904	547	19,594
1905	571	19,166
1906	590	19,747

*Mr. McCRAE: Having regard to the importance of these figures, cannot the right hon. Gentleman devise some means of giving the fourteen days training next year?

Mr. HALDANE replied that he had considered the matter from all points of view.

State Manufactories.

Mr. KEIR HARDIE (Merthyr Tydvil): I beg to ask the Secretary of State for War whether in view of the quantity of costly machinery now lying idle or only partially employed at Woolwich Arsenal, he will consider the advisability of appointing a small committee of experts to report on how far the machinery could be utilised in the production of articles of peace needed by Departments of the Government, other than the War Office; and whether much of the waste material might be turned to profitable account in various departments, especially the wood department.

Sir HOWARD VINCENT (Sheffield, Central): May I ask the right hon. Gentleman if there is not also a large quantity of costly machinery now lying idle or almost idle in private factories throughout the country, and if, in consequence, a large number of men not less worthy than those of Woolwich Arsensal are out of work?

Mr. HALDANE: I am afraid I cannot succumb to the temptations held out by either of the hon. Gentlemen. I do not think that any useful result would come from the appointment of such a committee. The question is a broad one of principle, whether it is desirable that the Government should attempt the general business of manufacture of articles which can easily and at all times be obtained from the trade. I am not prepared to undertake the financial risk of such an enterprise.

Technical Training of Soldiers.

Mr. CLYNES (Manchester, N.E.): I beg to ask the Secretary of State for War, whether the circular issued to General Officers Commanding at Home and Abroad, urging them to act in respect to the technical training of soldiers so as to fit them for positions in civil life, contains any reference to the necessity of pensioned ex-soldiers not being employed at wages below the standard in the various trades; whether he has made any recommendation on these lines to bodies existing to secure employment for ex-soldiers; and whether he will state the manner in which certificates of trade proficiency are to be issued to the men.

Mr. HALDANE: The circular letter to which the hon. Member refers was confined to suggestions as to the lines on which technical instruction might best be imparted to the soldier. The letter did not deal with the question of wages or conditions of employment, nor have any recommendations on this subject been made to employment agencies. No decision has been arrived at on the question of the issue of trade proficiency certificates.

Lord Esher's Committee.

Mr. MEYSEY-THOMPSON (Staffordshire, Handsworth): On behalf of the hon. Member for North Hampshire, I beg to ask the Secretary of State for War whether the Committee appointed to consider the formation of a national army which has been assembled under the presidency of Lord Esher, has yet reported; and will he lay the Report of the Committee upon the Table of the House as soon as it is received.

Mr. HALDANE: The Committee in question was assembled to advise on such matters connected with the formation of a national army as might be referred to it from time to time, and it still exists for this purpose. Hitherto its functions have been wholly of a consultative nature, but should any Report be ultimately furnished, I will consider whether it might not be laid on the Table of the House.

Army Recruiting.

MR. MEYSEY-THOMPSON: On behalf of the hon. Member for North Hampshire, I beg to ask the Secretary of State for War whether it is proposed to put any check upon recruiting during the current financial year; and, if so, in which branch or branches of the Service will the recruiting be arrested.

MR. HALDANE: Recruiting is only checked for any branch of the Service when the establishment of that branch is reached and is likely to be exceeded. This principle has been and is being applied.

Bengal Director of Public Instruction.

DR. HAZEL (West Bromwich): I beg to ask the Secretary of State for India whether he can inform the House when it is intended to restore to his ordinary duties the member of the Indian civil service who has been appointed by the Lieutenant-Governor of Bengal to be director of public instruction in that province, in disregard of public and departmental protests; and whether due consideration will be paid to public feeling in the matter by the selection of a member of the Indian educational service to succeed him in that office.

THE SECRETARY OF STATE FOR INDIA (Mr. MORLEY, Montrose Burghs): As I have already stated, I have no reason to think that the Lieutenant-Governor of Bengal has abandoned the intention which he expressed in 1905, of replacing Mr. Earle by a member of the Indian educational service within two or three years from that time; but I do not know the precise date at which he proposes to effect the change.

Mohindar College, Patiala.

DR. HAZEL: I beg to ask the Secretary of State for India whether Mr. E. Candler, formerly a newspaper correspondent, who was on 21st September appointed temporarily to be a member of the Indian educational service, has now been appointed to be principal of the Maharajah's College in the Patiala State; and, if so, whether he has given his sanction to this appointment, in view of the rule which prohibits the employment of any European in an Indian native state without such sanction; whether the appointment was offered to any of the distinguished University graduates, Indian and European, who are permanent members of the Indian educational service; and whether, seeing that the Patiala College has been for the past seventeen years in charge of a highly qualified Indian principal who has occupied the post with credit, and also that no reason has been publicly assigned for his supersession, he will state why the appointment of a gentleman, by profession a journalist, to this important educational office, has been permitted.

MR. MORLEY: I am aware that there was a proposal to appoint a European graduate to the Mohindar College, Patiala, but I do not know if Mr. Candler (who is a graduate of the University of Cambridge) is the person selected. It is in the competence of the Government of India to sanction the employment of Europeans in native states.

The Colonial Conference.

MR. SCOTT (Ashton-under-Lyne): I beg to ask the Under-Secretary of State for the Colonies whether it is the intention of the Colonial Office to bring prominently before the next Colonial Conference the desirability of according to British Indians resident in the Colonies the same rights and privileges as those granted to other British subjects.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester N.W.): The agenda for the Colonial Conference has not yet been settled, and prominence must be given in the first place to those subjects which the Colonies themselves intimate a desire to discuss. It is, at present, impossible to say what place in the discussions can be allotted to the subject referred to by the hon. Member.

SIR GILBERT PARKER (Gravesend) Is it expected that representatives of the Transvaal and Orange River Colony will be able to come?

*THE SPEAKER: That hardly arises out of the Question on the Paper.

Cultivation of Opium in China.

MR. REES (Montgomery Boroughs): I beg to ask the Secretary of State for Foreign Affairs whether the cultivation of opium in China is under observation and report, in order to ascertaining whether the recent edict of the Chinese Government is being effectively enforced within the Empire.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): In answer to other Questions I have already explained the difficulty of procuring trustworthy information as to the area of opium cultivation. But the Consuls in China will report to the best of their ability as to the manner in which the edict will be carried into effect.

Girl Labour in Egyptian Cotton Mills.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Secretary of State for Foreign Affairs whether he is aware that at Mansourah, in Egypt, native girls of twelve and fourteen years work in the cotton mills from four o'clock in the morning to six o'clock at night, and at times till ten o'clock at night, in a highly deleterious atmosphere, at a wage of from 10 to 15 cents a day; whether it is in the competence of the British Control to urge on the Egyptian Government remedial interference with this state of things; and whether he proposes to take any action in the matter. May I say that when I handed the Question in at the Table the words were "whether it is a fact" and not "whether he is aware."

SIR EDWARD GREY: If anything of this kind exists, the proper remedy would be factory legislation. But to make that binding on Europeans, who own most of the factories, would of course require the consent of all the Powers, and it would be necessary for the Egyptian Government to approach them. I will make inquiry into the facts stated by the hon. Member. Till that has been done I cannot say what action is required or can be taken.

Tax Surveyors.

MR. SUMMERBELL (Sunderland): I beg to ask Mr. Chancellor of the Exchequer what is the number of tax surveys in the Kingdom in which there is no established officer besides the surveyors; what is the number of unestablished clerks employed in such districts; what is the average number of days per annum upon which the surveyors in such districts are absent on leave or on official business; and by whom the daily business of the office is transacted during the absence of the surveyor.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire E.): (1) 216; (2) 428; (3) twenty-six days on leave—the number of days upon which a surveyor is wholly absent from his office on official duties is not available. (4) In forty-one out of the 216 districts above-mentioned (1), there are other surveyors in the same building, who are in charge during the absence of their colleagues. In the remaining 175 districts, the routine work is performed by the clerks; but the district is in charge of the "linked" surveyor, who deals with all important matters, visiting the office as required.

MR. SUMMERBELL: I beg to ask Mr. Chancellor of the Exchequer at what date established clerks of the lower or second division were first employed on the outdoor clerical staff of the tax-surveying department; when the employment of such clerks ceased; what was the maximum number employed at any one time; and what was the number of surveys in which no established clerks were employed during the period of employment of such established clerks.

MR. ASQUITH: (1) 1877; (2) 1894; (3) 54; (4) 0.

Race Suicide.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask Mr. Chancellor of the Exchequer whether his attention has been drawn to Mr. Sidney Webb's inquiries and conclusions as to race suicide; and whether he will consider the propriety of embodying in any future graduation of the Income Tax rebates dependent on the number of children in a family.

MR. ASQUITH: I have read Mr. Webb's interesting papers, though, I confess, without realising their bearing upon the graduation of the Income Tax. But, in the consideration which I am giving to the subject, I will not lose sight of my hon. friend's suggestion, which would, however, amount to a revival of the *lex Papia Poppaea*.

DR. HAZEL: Would the right hon. Gentleman give the date of the *lex Papia Poppaea?*

MR. ASQUITH: I am afraid I must ask for notice.

The German Gipsies.

SIR HOWARD VINCENT: I beg to ask the Secretary of State for the Home Department if he has at length succeeded in ridding the country of those bands of foreign gipsies who for the past six months have put the counties of Yorkshire, Derbyshire, Lincolnshire, Northamptonshire, Lancashire and Nottinghamshire, and many of the cities and boroughs within them, to great expense, and exposed the inhabitants to assaults, damage, and other crimes, besides the evils of begging and fortune telling and divers contagious disorders.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Yes, Sir. As I informed the hon. Member for Great Yarmouth in reply to his Question yesterday,† the two bands of gipsies who have for some time been wandering about the country were successfully repatriated last week.

SIR HOWARD VINCENT: Now that the right hon. Gentleman has got rid of the gipsies will he introduce legislation to prevent them coming in again?

*MR. GLADSTONE: I am afraid that under present circumstances I can hold out no hope of that.

SIR HOWARD VINCENT: Will the right hon Gentleman instruct the Immigration Board not to admit them again?

*MR. GLADSTONE: My hon. friend knows I have no power to do that.

Marshgate Arms, Richmond.

MR. CHARLES ROBERTS (Lincoln): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of the Marshgate Arms, Richmond, the licence of which was referred by the licensing authority in March, 1905, and refused subject to compensation in June, 1905, the compensation being settled by the Inland Revenue in January, 1906; whether he is aware that these licensed premises are now still open for sale owing to disputes among the parties interested over the division of the compensation money; and whether he will consider how best to shorten, by amending legislation, this procedure.

*MR. GLADSTONE: The licensed premises in question have hitherto remained open because the compensation money had not been determined. This determination has now, I understand, been practically finished, and only awaits the completion of the necessary formalities. The question of the procedure for assessing compensation will be very carefully considered in connection with the forthcoming Licensing Bill.

Assistant Factory Inspectors.

MR. CHIOZZA MONEY (Paddington, W.): I beg to ask the Secretary of State for the Home Department if he is now in a position to state whether he has been able to reform the position of the assistant factory inspectors.

*MR. GLADSTONE: I beg to refer the hon. Member to the full written Answer which I gave on the 28th November in reply to a Question by my hon. friend the Member for Sunderland‡.

Production of Calf Lymph.

MR. LUPTON (Lincolnshire, Sleaford): I beg to ask the Secretary of State for the Home Department if his attention has been called to the vaccination of calves, and to the fact that the calf is strapped down upon the operating table, that its belly is then shaved, that 100 or more cuts are then made with a knife in its belly, and that vaccine matter is then rubbed into these cuts; will he say if the calf is put under anæsthetics during this operation; and whether, in view of the law preventing cruelty to animals, he will cause proceedings to be taken, or, if necessary, introduce legislation to deal with this question.

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† See Col. 589.

‡ See Col. 51–52

*Mr. GLADSTONE: I have communicated with my right hon. friend the President of the Local Government Board, and I understand that the facts are substantially as stated in the Question. The operation is not an experiment, and therefore does not come within the provisions of the Cruelty to Animals Act, 1876, which is limited to the control of experiments. It is open to any person to take proceedings under the general law relating to cruelty to animals.

Convict Labour.

Mr. BRIGG (Yorkshire, W.R., Keighley): I beg to ask the Secretary of State for the Home Department if the inmates of convict prisons in the United Kingdom are precluded from the production of goods which can be sold to the public; and whether he will consider the desirability of allowing such occupation in prisons as will be useful employment to the inmates.

*Mr. GLADSTONE: There is no rule or practice which forbids the production by prisoners of goods which can be sold to the public; but, as a matter of fact, prison labour in convict and in local prisons is employed almost entirely where it is not required for prison service, building, etc., on the fulfilment of orders received from the various Government Departments. The supply of such orders is, generally speaking, sufficient to ensure the employment of prisoners on occupations which are both useful and interesting, and calculated, not only to instil the habit of work, but to provide (where the sentence is sufficiently long to admit of effective instruction) a means of gaining a livelihood on discharge.

Milan Exhibition.

Mr. WEDGWOOD: I beg to ask the President of the Board of Trade whether he is aware of the dissatisfaction that exists among the British exhibitors at the Milan Exhibition, especially in the section devoted to applied arts, owing to the bad organisation and arrangements of the British exhibits; will he say who is responsible for this organisation and for the status of the firms exhibiting; what his qualifications were; and whether he proposes to consider how the British Department of international exhibitions may be better organised in future.

The PRESIDENT of the BOARD of TRADE (Mr. Lloyd-George, Carnarvon Boroughs): The British section of the Milan Exhibition was organised by an unofficial Commission composed of a number of representative men chiefly drawn from British chambers of commerce and other bodies directly concerned with trade and industry. I understand that this body was formed mainly under the auspices of the London Chamber of Commerce. I am informed that no complaints of the character indicated in the Question have reached the Commission. As regards the last part of the Question, I may remind my hon. friend that a departmental committee is sitting to consider the questions affecting the participation of this country in international exhibitions.

Mr. WEDGWOOD: Is the right hon. Gentleman aware that the London Chamber of Commerce is not exactly the best Chamber to go to in connection with matters relating to manufactures, and fine arts especially?

[No answer was given.]

Railway Inspection by the Board of Trade.

Mr. CHIOZZA MONEY: I beg to ask the President of the Board of Trade what is the total cost to the nation of the present Government control and inspection of the railways of the United Kingdom, including the salaries of the Railway Commissioners and a proper quota of the Board of Trade Vote.

Mr. LLOYD-GEORGE: The cost of the Railway Department of the Board of Trade during the year 1905–6, including salaries, travelling and legal expenses, etc., was £12,847. This does not include cost of office accommodation or printing, or certain other expenses that cannot be allocated. On the other hand the Railway Department also deals with tramways and other subjects not connected with railways, so that for my hon. friend's purposes a considerable deduction, the amount of which cannot be accurately estimated, should be made on this account. The Railway and Canal Commission is a judicial body and not a Department of the Board of Trade. I am informed that the expenditure of that body in 1905–6 amounted to £6,140.

Municipal Trading.

MR. JOWETT (Bradford, W.): I beg to ask the President of the Board of Trade whether he has observed that, among the 8,593 cases of bankruptcy reported by the Inspector-General of Bankruptcy during 1905, there is not one municipal trading concern; and whether, in view of that and other advantages connected with the system of municipal trading, he will seek the co-operation of the President of the Local Government Board with a view to the promotion of a Bill empowering municipalities to undertake the control of all such industries as a poll of the ratepayers shall decide upon.

MR. LLOYD-GEORGE: Bankruptcy proceedings do not apply in the case of municipal trading concerns, and their entire absence from the statistics of bankruptcy does not therefore afford any indication of their prosperity or otherwise.

Permanent Secretary of the Board of Trade.

*MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Board of Trade whether the Permanent Secretary of the Board of Trade has, during the present year, been appointed on any Commissions or Committees other than the Royal Commission on Canals and Waterways, the South African Committee of Inquiry into the Methods of Self-government for the Transvaal and Orange River Colonies, and the Royal Commission on Shipping Rings; how long he was absent from England on the South African Committee; whether it is usual to appoint the heads of the permanent staff of important departments of State upon committees of inquiry into matters unconnected with the business of such departments, and which necessitates their absence from this country for many months; did the Controller-General of the Commercial, Labour, and Statistical Department perform the ordinary functions of the Permanent Secretary during the absence of the latter in South Africa, and, if not, who performed them; and did the Permanent Secretary fully resume his duties as such upon his return from South Africa in July.

MR. LLOYD-GEORGE: The Answer to the first part of the Question is in the negative, and to the second part thirteen weeks. As to the third part, I can add nothing to the replies which have been given by the Prime Minister and by myself to the noble Lord the Member for the Horsham Division on 2nd April, and to my hon. friend on the 28th ultimo.†

*MR. D. A. THOMAS: But did he fully resume his duties as Permanent Secretary upon his return?

MR. LLOYD-GEORGE: Certainly.

Minerals—Wages and Royalties.

MR. JOWETT: I beg to ask the President of the Board of Trade whether he is aware that the value of the various minerals raised in the United Kingdom during 1905 amounted to £95,870,700; and whether he can say how much of this sum was paid in wages and how much was appropriated by the owners of mineral rights, royalties and wayleaves.

MR. LLOYD-GEORGE: The facts stated in the first part of the Question are correct. It is not possible to state the aggregate amount paid in wages in the mining industries, as no exhaustive inquiry has taken place into the earnings of the various classes of workpeople in the United Kingdom since 1886. Another inquiry of a similar character is now about to be made, and when that is completed it is hoped that definite information with regard to earnings in the mining industry will be available. The latest information available as to mining royalties and wayleaves is that collected by the Royal Commission on Mining Royalties, 1889–93, who estimated the amount paid in royalties and wayleaves on the output of 1889 at £4,873,000.

MR. CHIOZZA MONEY: Is it not the fact that during the last five years the average profits including wages for the mines of the United Kingdom have amounted to £21,000,000, whereas the average profits of the preceding five years were £9,500,000? Can the right hon. Gentleman say whether the increase of the wages during that time was in the same proportion?

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† See *Debates* clv., 173; clxvi., 62.

*MR. SPEAKER: Notice should be given of that Question.

Sea-going Engineers.

MR. SUMMERBELL: I beg to ask the President of the Board of Trade, if he contemplates bringing in a Bill having for its object the regulation of certificates of competency of sea-going engineers; and, if so, would he state when such Bill will be brought forward.

MR. LLOYD-GEORGE: The requirements as to the certificates to be held by engineers on British ships are contained in Section 92 of the Merchant Shipping Act, 1894. The Board of Trade do not see their way at present to introduce further legislation, but the matter will not be lost sight of.

North Glamorgan Official Receiver.

MR. D. A. THOMAS: I beg to ask the President of the Board of Trade, if he can say, approximately, what income arises from the official receivership of the Merthyr district; and whether, in view of the practice during the past five or ten years to fill vacancies occurring among the official receivers by appointing only members of the legal profession or persons having special knowledge of, or experience in the administration of the Bankruptcy Laws, he will explain why, in making the recent appointment, he selected a gentleman who had been connected with the Press at Carnarvon before he took up his present position of manager and editor of the *Brecon and Radnor Express*.

MR. LLOYD-GEORGE: The late official receiver in this district was paid by fees, the gross amount of which varied very widely from year to year, from £600 to £1,800. I have no information as to his office expenditure, and am therefore unable to estimate the net income. As regards the last part of the Question I do not think I can add anything to the reply given by me to my hon. friend on Wednesday last.†

MR. KEIR HARDIE: Has any decision been come to as to where the head office is to be?

MR. LLOYD-GEORGE: No, the chief inspector is still looking into the matter.

Hull Gate Signalmen.

MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade whether in view of the answer given to his Department by the North Eastern Railway Company respecting the hours of gate signalmen at Hull, the recent Returns of the hours worked by railwaymen represent the actual hours worked by the various servants to whom those Returns apply.

MR. LLOYD-GEORGE: The Board are assured by the railway company that the Returns in question represent the actual hours worked, including all travelling time paid for.

MR. HUDSON: How can they possibly have returned the true state of affairs when the company say they did not know that such long hours were worked?

MR. LLOYD-GEORGE: I must ask for notice of that.

Express Trains on the East Coast Route.

MR. HUDSON: I beg to ask the President of the Board of Trade whether he is aware of the number of cases of break-away of express passenger trains on the East Coast Route of England (comprising the Great Northern, North Eastern, and North British Railway systems); how many cases have occurred during the past twelve months, and at what speed the trains were running when these breaks-away occurred; what is the name of the automatic coupling in use; how many alterations have been made in it during the above-mentioned period; and if it is still in its experimental stage.

MR. LLOYD-GEORGE: I am in communication with the companies named in the hon. Member's Question and will inform him in due course of the result of my inquiries.

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† See Col. 62–63.

Rate-aided Vaccination.

MR LUPTON: I beg to ask the President of the Local Government Board if his attention has been called to the statement in the Blue-book on Vaccination Expenses (Cd. 2421, 1905), that in the four years ended Lady Day, 1903, there were 1,168,058 re-vaccinations charged to the rates, and if he will state under what statute the rates can be charged with re-vaccination, except in the case of voluntary applications for re-vaccination; if he has any official information showing that the bulk of these re-vaccinations were of persons who did not voluntarily apply for re-vaccination, but were compelled to do so by their employers on pain of dismissal; and if the auditors of the Local Government Board have surcharged the guardians with any portion of the amount paid for these re-vaccinations.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I am aware of the number of re-vaccinations the cost of which was charged to the rates in the period referred to. I have no information to show that the bulk of these re-vaccinations were of persons who did not voluntarily apply for re-vaccination, nor do I know of any surcharges made on the ground that any of the applications were not voluntary. It is the duty of the Public Vaccinator to re-vaccinate any person applying to him for the purpose who is not less than ten years old and has not been primarily vaccinated within ten years, and, subject to the observance of certain conditions which do not affect the present matter, he is entitled under Section 8 of the Vaccination Act, 1867, as amended by later Acts, to be paid for these re-vaccinations out of the rates. Whether the applications made to him are voluntary or not seems to be immaterial.

Burnley Vaccination Officer.

MR. MADDISON (Burnley): I beg to ask the President of the Local Government Board whether his attention has been called to the remarks of the magistrates at the Burnley Police Court concerning the conduct of the vaccination officer of that union, in which, amongst other things, it was stated that he had instituted prosecutions four, six, eight, and even eleven years after the birth of the children in question; whether he is aware that in one case a summons was taken out two and a half years after a child's death; and whether he will take steps to give the board of guardians control over this vaccination officer, so that the present unsatisfactory state of affairs may be ended.

MR. JOHN BURNS: I have seen a newspaper report of the proceedings before the justices. I understand that they have not been finished, as some of the cases, including the one specially referred to in the Question, were adjourned. I am not empowered to take action of the kind suggested by my hon. friend.

MR. MADDISON: Is the right hon. Gentleman aware that during the last three years no less than £250 has been expended by the working classes here in fines and costs.

MR JOHN BURNS: I believe that statement is correct. I am looking into that matter.

Norwich Telegraphists' Grievances.

MR. GEORGE ROBERTS (Norwich): I beg to ask the Postmaster-General whether he is aware that several Norwich telegraphists were asked in October last to take special duty at Lowestoft, and were informed that their subsistence allowance would be 3s. per day; that the men declined to accept this rate; that two men were then ordered to proceed on this allowance, notwithstanding the fact that the recognised subsistence allowance is 5s. per day; and that the local authorities were aware that men accepting less than the recognised rate are liable to expulsion from membership of their trade union; and whether, seeing that the authorities have now raised the allowance to 4s. per day in deference to the repeated protests of the men, he will investigate the circumstances and take steps to obviate a recurrence of the grievance.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The question of the subsistence allowance is under my consideration. But the hon. Member is mistaken in thinking that there has been, or is, a recognised subsistence allowance of 5s. a day. The subsistence allowance is the repayment of necessary additional expenses of maintenance incurred by officers absent from their headquarters on official business, and will thus necessarily vary according to the circumstances under which the duty is performed.

Radiotelegraphic Conference.

SIR EDWARD SASSOON (Hythe): I beg to ask the Postmaster-General when the copies of the protocols and regulations in connection with the Radiotelegraphic Convention will be in the hands of Members.

MR. SYDNEY BUXTON: I hope that copies of the Radiotelegraphic Convention and of the other documents will be in the hands of Members in the course of a few days.

Military Drill in Schools.

SIR HOWARD VINCENT: I beg to ask the President of the Board of Education if he is aware that the Education Act of New Zealand requires that all boys should be instructed in military drill and all boys and girls over eight be taught physical drill; that, in forming twenty-eight battalions of 264 companies of 127,000 cadets, training them to shoot, and sending them annually to camp, the Colony spends over £5,000 a year with the approbation of the parents; and if he can inform the House how many cadet battalions and companies have been formed in the elementary public schools under his control, and what pecuniary encouragement is extended to them.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): I understand that the hon. Member's statement of the law in New Zealand on the matter of military drill for boys is accurate, but he seems to have been misinformed in regard to the number of cadets, the figures quoted by him being, apparently, the number of children receiving physical instruction, and therefore including the girls. I imagine, therefore, that even in New Zealand this does not mean that this number of scholars have all received military instruction, or been trained to shoot. With regard to the third paragraph of the Question, if the hon. Member desires to know how many "cadet battalions and companies" have been organised in England and Wales as part of the organisation of a public elementary school as such, the reply is that there are none. As to the number of "cadet battalions and companies" that may have been organised voluntarily from among boys who attend public elementary schools, I have no information; being apparently wholly military in purpose, they would in no way come within the purview of the Board of Education.

SIR HOWARD VINCENT repeated the last part of his Question. What pecuniary assistance was extended to such cadet battalions and companies?

MR. BIRRELL: None at all.

Lytham School Charities.

MR. HIGHAM (Yorkshire, W.R., Sowerby); I beg to ask the President of the Board of Education if he will state the names of the elementary schools which have been assisted by grants in aid of building out of the Lytham School Charities, Lancashire; the amount of assistance in each case; and whether a condition as to undenominational religious instruction was imposed when the grants were made.

MR. BIRRELL: There are three public elementary schools which are the property of the Lytham School Charities. The early history of the schools of the foundation is obscure, but the following facts have been ascertained as to the existing schools, the names of which as they appear in the official list are as follows:—Lytham Endowed Church of England School, which received a grant from the funds of the charities towards cost of buildings of £812 5s. 0d. in 1856; (2) St. Anne-on-the-Sea, Heyhouse's Endowed School, which received £1,688 10s. 7d. in 1880 and 1893; and (3) Lytham St. John's Church of England School, which received £1,000 0s. 0d. in 1899. As regards St. John's School, the Charity Commissioners made it an express condition of the grant of £1,000 from the Charities that the school site should be conveyed to the trustees on trusts containing no denominational provisions. In the case of the other schools, no such condition was apparently made. It was, however, a term of the general arrangement arrived at in 1898 at the local inquiry that in each of the three schools provision should be made for "Bible" instruction to be given in a separate room by a member of the staff to all children whose parents desired. This particular term was not expressly mentioned in the Charity Commission scheme of 1899, which directed simply that in each of the three elementary schools of the foundation "religious instruction in accordance with the principles of the Christian faith" should be given under regulations to be made from time to time by the managers of each school. No alteration in these regulations was to take effect until the expiration of not less than one year after notice of the alteration had been given. I am not aware of any alteration having been made.

MR. HIGHAM: Will the right hon. Gentleman inquire if as a matter of fact in connection with St. John's School, although there is a stipulation that no denominational instruction should be given, the scholars are marched to the Church of England on Holy days?

MR. BIRRELL: I will inquire into that.

MR. HIGHAM: I beg to ask the President of the Board of Education whether, seeing that the Lytham Charities (Lancashire) were left for the schooling of the poor children of Lytham, and that the ratepayers of that parish are paying by means of the poor rate for the elementary education of the children of the parish, he will consider the advisability of arranging that the income derivable from the charity, or a portion of it, shall be paid to the overseers for the purposes of the trust, viz., in relief of the cost of elementary education.

MR. BIRRELL: It does not appear to be the case that the whole of the consolidated charities, now known as the "Lytham School Charities," were originally founded specifically for the schooling of the poor children of Lytham. The original trusts are, however, now superseded by the trusts of schemes made in 1899 by the Charity Commissioners, under which a yearly sum of £450 must, and a further yearly sum "not exceeding £200" may, be applied to purposes of elementary education. The Board have informed the local education authority that, in their opinion, the yearly sum of £450 is subject to the proviso in Section 13 of the Education Act, 1902; but it is for the trustees and the local education authority, in the first instance, to agree as to the portion, if any, of that sum which should be applied in relief of the local rates. Unless there is a difference between the parties concerned, the Board of Education have no power to determine the amount which should be applied in relief of the local rates. The Board have no information that any such difference has arisen. In any event, any share of the income applicable to relief of the local rates must be paid in the first instance to the local education authority and not to the overseers. And the hon. Member should direct his inquiries to the Lancashire County Council, not to the Board of Education, if he desires to investigate the present allocation of the £450.

*MR. HIGHAM: Does the right hon. Gentleman consider that a grant of £450 for elementary education is sufficient, seeing that this charity is now bringing in £3,000 a year, and within the course of the next eight or ten years will be bringing in at least £10,000 a year?

MR. BIRRELL: I cannot alter a scheme which has been laid on the Table of the House and has the authority of an Act of Parliament.

MR. HIGHAM: I beg to ask the President of the Board of Education if he will state how much money from the Lytham Charities (Lancashire) is being used for the erection of a secondary school, and how much for the purchase of land for the same; what fees are intended to be charged at the proposed school, and if he will insist upon a substantial number of places being reserved free for the children of poor parents, seeing that these charities were left solely for such children; and if he will prohibit the building of any place of worship in connection with the school, so that the children may attend such places as may be selected by their parents.

MR. BIRRELL: The Answer to the first Question is £31,000, and to the second £25,000, I believe. Under the scheme the fees must not be less than £6 nor more than £12 a year; proposals are under consideration for permitting a maximum of £15 for day scholars, and for allowing some boarding pupils at not more than £60 a year for board and residence. Some 20 per cent. of the total places in the school can, under the scheme, be provided free from any fee and with additional benefits of from £5 to £10 as maintenance bursaries. No proposal has been submitted to the Board for the erection of a place of worship in connection with the school.

MR. CHIOZZA MONEY: Are the schemes of the Charity Commissioners ever submitted to the Board of Education for approval?

MR. BIRRELL: I should think so.

Council of Agricultural Research.

MR. J. F. MASON (Windsor): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he will press forward the negotiations concerning the proposed Council of Agricultural Research, in order that the necessary steps may be taken to secure financial aid from the Treasury in the next Budget Statement.

SIR EDWARD STRACHEY (Somerset, S.): The Board fully realise the importance and pressing necessity of the scientific investigation of agricultural problems and they will spare no pains to secure improvement both in regard to organisation and the financial resources available for the purpose. The matter is not however free from difficulty, and I should be very glad to have an opportunity of personal conference with the hon. Member respecting it.

Scottish Law Courts.

MR. C. E. PRICE (Edinburgh, Central): I beg to ask the First Commissioner of Works whether the plans for the proposed alterations upon the Scottish Law Courts in Edinburgh have been drawn up; whether they have been submitted to the Faculty of Advocates; and if he can now state when they will be proceeded with.

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale): Certain plans have been prepared, which have been seen by the Faculty of Advocates and altered to meet their views. They are under the most careful consideration, but at this moment I am not able to make a more definite announcement.

Edinburgh Public Gardens.

MR. O'GRADY (Leeds, E.): I beg to ask the Secretary for Scotland whether his attention has been called to the fact that the Edinburgh Town Council instructed its head gardener to apply to the local distress committee under the Unemployed Workmen's Act of 1905 for extra hands to keep the public gardens in proper order, and that the distress committee paid one-half of the wages of men supplied and the corporation the other half; whether he is aware that the Edinburgh Trades and Labour Council have objected to this action, on the grounds that it is illegal to relieve the rates by paying to a public body half the wages of men employed to perform useful and necessary labour; and, if so, whether any steps will be taken to prevent this and other public bodies so using the Act?

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The particulars stated by the hon. Member are materially correct. The town council had in view solely the assistance of several deserving men out of employment who had registered their names with the distress committee; but for this reason, the work in the gardens would not have been undertaken at the time. The proportion of the wages to be paid by distress committees in such circumstances is a matter for arrangement between the parties concerned. There does not appear to have been any illegal action in this case, and I do not, therefore, propose to interfere. These payments have been made out of funds contributed privately, but in future where the destination of monies voted by Parliament is concerned no payments will be sanctioned which involve relief of the rates.

MR. WARD (Stoke-upon-Trent): Were these men employed full time on half wages?

MR. SINCLAIR: I have given the House all the information I have.

Royal Society of Edinburgh

MR. COCHRANE (Ayrshire, N.): I beg to ask the Secretary for Scotland what sum, if any, the Treasury propose to give to the Royal Society of Edinburgh to enable them to secure suitable accommodation.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): At the same time may I ask the Secretary for Scotland in view of the Report of the Departmental Committee, what steps he intends to take with regard to housing the Royal Society in Edinburgh; and what sum of money the Treasury has arranged to grant.

MR. SINCLAIR: Negotiations with a view to housing the Royal Society in a suitable way are now in progress, and I hope to be in a position to make a full statement upon the Committee stage of the Bill.

Fish Curing Brands.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a memorial signed by fish curers in the principal fishing districts of Kerry, Cork, and Clare, urging the adoption of a Government brand; and whether any and, if so, what steps will be taken to adopt a system which has been so successful in Scotland.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): I have received the memorial referred to in the Question. As I stated in reply to a Question on 30th May last,† I referred several resolutions of the same kind to the Committee which is inquiring into the constitution and working of the Department, and I am now informed that the Committee have taken evidence upon the question of a Government brand for Irish fish, and that the matter is under their consideration.

Vandeleur Estate, Kilrush.

MR. HALPIN (Clare W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether the appeals of nine tenants on the Vandeleur estate at Kilrush, in the county of Clare, were heard at Ennis on the 12th June, 1906; whether four of these appeals have been fixed by Judge Fitzgerald, and the other five are yet undecided; and if he will have inquiries made as to the reason of the appeals not having been fixed.

MR. BRYCE: I am informed by the Land Commission that in the cases of the five undecided appeals referred to in the Question, the holdings are either wholly or partly within the urban district of Kilrush, and some delay has occurred in ascertaining the amounts of the urban rates payable in respect of these holdings. This information has now been obtained, and judgment in the cases will be given in the course of a few days.

Mullingar Police.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain if District-Inspector Rutledge, of Mullingar, reported to the Inspector-General of the Royal Irish Constabulary the formal complaint of the magistrates, Messrs. Sullivan, Hyde and Nooney, made to him in the magistrates' room on the 23rd June last, regarding Constable Scott's illegal conduct in a specific case; if any officer reported repeated reprimands administered from the Bench to Scott for his improper and illegal conduct; is it the practice, as in this case. to allow police officers to nullify the complaints of magistrates, by failing to report them, and then to deny and ignore the complaints and promote the constable reprimanded; whether, seeing that Scott failed to pass the requisite examination for promotion, and is not the senior constable in his district, he will explain the reason for his promotion; and, having regard to a letter from one of the magistrates placed in his hands, will he have this promotion reconsidered.

MR. BRYCE: I am informed by the police authorities that at Mullingar Petty Sessions before Messrs. Sullivan, Hyde and Nooney, Constable Scott prosecuted a man for drunkenness. The defendant was unanimously convicted by the magistrates on Constable Scott's evidence. When the Court had risen, Mr. Nooney asked District-Inspector

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† See (4) *Debates*, clviii., 421.

Rutledge to come to the magistrates' room, and he there stated that he strongly disapproved of the manner in which Constable Scott gave his evidence in the case referred to, and he desired the District-Inspector to tell the constable so. Mr. Hyde, J.P., said it was only fair to state that the magistrates had previously on several occasions commended the constable from the Bench for the manner in which he brought up cases. Mr. Sullivan, R.M., remarked that the constable was perhaps too keen in the way in which he gave evidence on that day. The District-Inspector did not regard this conversation as a formal complaint by the magistrates and did not therefore report the matter to the Inspector-General. I am informed that there is no foundation for the suggestion that Constable Scott has been repeatedly reprimanded from the Bench. The constable passed the requisite examination for promotion in 1901. The reasons for his promotion were stated in my reply to the hon. Member's previous Question on 14th November.† The Inspector-General understands that there is no reason for the suggestion that the magistrates generally are dissatisfied with the promotion, though one magistrate appears to be dissatisfied. The promotion of constables rests with the Inspector-General, who informs me that he sees no reason for re-considering tho decision arrived at.

Mr. Barrington's Newport Estate.

MR. HOGAN (Tipperary, N.): I beg to ask the Chief Secretary to the Lord-Lieutentant of Ireland is he aware that three years ago Mr. John B. Barrington sold to his tenants on his property at Castlewaller, Newport, county Tipperary, and can he say what progress has since been made with the Land Purchase Commission, or have the tenants as yet received their vesting orders; is he aware that Thomas Molony, one of the Castlewaller tenants, was evicted soon after the terms of purchase were arranged; has Mr. Barrington since consented to reinstate Mr. Molony; and, if not, will he instruct the Estates Commissioners to put themselves in communication with Mr. Barrington so as to bring about Mr. Molony's restoration to his farm in Castlewaller.

MR. BRYCE: The Estates Commissioners inform me that no proceedings for the sale of the estate referred to have yet been instituted before them, and they have no knowledge of any negotiations for sale which may be pending. The Commissioners have received an application for reinstatement from Thomas Moloney, and will have the case inquired into as soon as may be possible.

MR. LUNDON (Limerick, E.): Is the right hon. Gentleman aware that the negotiations for the sale of the estate have been going on for three and a half years?

MR. BRYCE: I have no information on that point before me.

Mayberry Estate, Kenmare.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that negotiations for the purchase of the Mayberry estate, near Kenmare, are now in progress; and whether, in view of the fact that there are several evicted tenants on this estate, some of whom have been out of their holdings for nearly twenty years with no means of procuring a livelihood except as labourers, the Estates Commissioners will consider the advisability of purchasing the evicted farms as a separate estate, and enabling these tenants to start fair with the aid of grants for building the houses and stocking the farms, as they have done in the neighbouring Warden estate.

MR. BRYCE: The Estates Commissioners inform me that no proceedings have yet been instituted before them for the sale of the estate of F. G. Mayberry, which they assume to be the estate referred to in the Question, and they have no knowledge of any negotiations for sale which may be in progress. The Commissioners have received applications from six evicted tenants on the estate, and will have the cases inquired into by their inspector. The Commissioners will consider what steps they may take when they have received the inspector's report.

Mr. Gradwell's Coole Estate.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Estates Commissioners have asked Mr. Richard Gradwell of

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† See (4) *Debates*, clxiv., 1506–7.

Dowth Hall, Drogheda, to sell his untenanted lands in the rural district of Coole, Westmeath; if they have asked him to restore his evicted tenants or to sell the evicted farms for the purposes of restoration; and, if so, what were the dates of their communications with Mr. Gradwell, and the nature of his replies.

MR. BRYCE: The Estates Commissioners inform me that they have not yet approached the owner of the estate in question.

Westmeath Evicted Tenants.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say when an inspector from the Estates Commissioners will be in Westmeath for the purpose of doing something practical for evicted tenants there, the past three years alleged consideration by the Commissioners having produced no result.

MR. BRYCE: The Estates Commissioners inform me that they hope to have inquiries made by an inspector in the early part of next year into the cases of evicted tenants in county Westmeath whose applications for reinstatement have not yet been disposed of.

Westmeath Untenanted Lands.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state what it is that prevents the making of provision for evicted tenants in Westmeath, untenanted land being abundant there; how many owners of untenanted land in that county have been asked by the Commissioners to sell it; how many have given favourable replies; and can he say now, after three years working of the Land Act of 1903, when evicted tenants may expect to benefit under that Act.

MR. BRYCE: The Estates Commissioners inform me that inquiries as to untenanted land in county Westmeath are in progress. Eighteen owners of such land have been asked whether they would be prepared to sell. Of these, three have replied in the affirmative, and the Commissioners have directed an inspection; eight have stated that they are not willing to sell the lands to the Commissioners; and replies have not yet been received by the Commissioners in the remaining seven cases.

Lady Bathurst's Cappamore Estate.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that the property of Lady Bathurst is being sold to the tenants around Cappamore, county Limerick; and will he instruct the Estates Commissioners to put themselves in communication with the agent of Mr. Rochford, of Cahir, county Tipperary, so that the town tenants of Cappamore may be included in the sale.

MR. BRYCE: The Estates Commissioners inform me that no proceedings for the sale of the estate in question have yet been instituted before them; and they state that it is not their practice to insist upon the inclusion of a town or village in an estate which is the subject of proceedings for direct sale from a landlord to tenants.

Herbertstown Evicted Tenant.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland can he say what progress the Estates Commissioners have made in restoring to his evicted farm in Moohan, Herbertstown, county Limerick, on the Croker estate, Michael Power; is he aware that the Commissioners' inspector was with Kirby the planter, on the 6th instant; will he say if Kirby said to the inspector that he was prepared to leave, provided they supplied him with another farm on the Croker Estate; and, if so, are they taking steps to do so.

MR. BRYCE: The Estates Commissioners inform me that they have caused inquiry to be made into the case of Michael Power, evicted tenant. Power has been offered a portion of the untenanted land on the estate, but has so far refused to accept any but the holding from which he was evicted. It does not appear to be the case that Kirby, the present occupant of the farm, has informed the inspector that he was prepared to surrender the farm if another holding were given to him. On the contrary, the inspector has reported that Kirby is not prepared to surrender the holding and accept another in lieu thereof.

"Duffy and Baily v. Lonsdale."

MR. HALPIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the disclosures in the trial of "Duffy and Baily *v.* Lonsdale," before Mr. Justice Boyd in Dublin on Tuesday; whether he is aware that the defendants pleaded guilty to the posting of a defamatory typewritten notice and a printed placard regarding the plantiff in the town of Longford, where he carries on his business, and had thereby injured him in trade; and whether any proceedings have been instituted by the police.

MR. BRYCE: My attention had not been called to the matter referred to in the Question, but I have now seen a newspaper report of the case. It appears from that report that the proceedings consisted in a civil action for damages, and it is stated that when the case was called it was announced that a settlement had been arrived at upon terms that the defendent should express regret for the publications and pay plaintiff's costs. No proceedings have been instituted by the police, and I am advised that the case is clearly not one for criminal proceedings by the Crown.

MR. MACVEAGH (Down, S.): Is the right hon. Gentleman aware that these boycotting notices were posted because the landlord had raised his rents, and is the Mr. Lonsdale referred to the gentleman who is putting a question as to boycotting notices in other parts of Ireland?

MR. BRYCE said he had no information beyond that he had given to the House.

MR. MACVEAGH: The Answer is in the affirmative.

Kilmanagh Evicted Tenant.

MR. MEAGHER (Kilkenny, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have yet taken any action on the application of Samuel Calbick, who was evicted from his holding on the Wearing Estate, Kilmanagh, county Kilkenny; whether he is aware that about three years ago the present occupier of the holding offered to surrender possession on getting reasonable compensation, such offer being conveyed to the Commissioners, who were unable to deal with it, and that Calbick and his family, having had to live in a dilapidated and insanitary dwelling, became victims of tuberculosis, by which himself and two of his sons died and his wife at present is an incurable invalid; and whether the Commissioners will take special steps to restore the remainder of the family to their holding.

MR. BRYCE: The Estates Commissioners inform me that they have received an application for reinstatement from Samuel Calbick and have referred it to their inspector for inquiry with the view of effecting a settlement. The Commissioners have as yet no information in regard to the circumstances alleged in the remainder of the Question, but will deal with the matter when they receive their inspector's report.

Land Commission Appeals.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland how many Land Commission appeals are now pending; what is the cause of delay; and is this matter having his attentfon.

MR. BRYCE: I am informed by the Land Commission that the number of appeals outstanding on the 30th November was 8,392. The number outstanding on the 30th November, 1905, was 11,477. A decrease of 3,085 in the number of outstanding appeals has, therefore, taken place within the last twelve months, and the Commissioners inform me that they believe this rate of decrease will be maintained.

MR. VINCENT KENNEDY: As this is a matter of extreme urgency cannot the right hon. Gentleman take any steps to deal with it?

MR. BRYCE: I am aware of the urgency of the matter, and I hope to be able to do something to facilitate matters.

Castleinch Evicted Tenants.

MR. MEAGHER: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether a claim has been lodged with the Estates Commissioners by the representatives of Thomas Mullins, who was evicted in 1888 from a holding on the Castleinch, county Kilkenny, estate of the Earl of Desart; and whether, seeing that the holding has been farmed on the eleven months system by a publican named Martin Murphy, of Kells, he will say what steps, if any, have been taken by the Estates Commissioners to reinstate the representative of Mullins to the holding.

MR. BRYCE: I am informed that Thomas Mullins was not a tenant of the Earl of Desart and was not evicted by him. Mullins appears to have been at one time a sub-tenant of the late Mrs. Margaret Sullivan, who was one of Lord Desart's tenants. The Estates Commissioners inform me that they have not received an application from the representatives of Mullins.

Irish Land Stock.

MR. CLANCY (Dublin County, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the total amount of Stock issued up to date for the purposes of the Irish Land Act, 1903; the total cost of floating such Stock; and the total liability of the Irish Development Fund to make good, under Section 38 of the Act of 1903, the deficiencies in respect of the issue at a discount of Stock under that Act.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr RUNCIMAN, Dewsbury; for Mr. MCKENNA): The total amount of Stock issued up to date, for the purposes of the Irish Land Act, 1903, is £21,201,444 8s. 9d. The total cost of floating such Stock was £42,616 14s. 9d. The annual liability of the Ireland Development Grant under Section 38 of the Act of 1903, for the purpose of making good the deficiencies in respect of the issue of Stock at a discount is £70,290 2s. 7d.

Robert Tyndall Estate, Kilkenny.

MR. O'MARA (Kilkenny, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that a number of tenants on the Robert Tyndall estate, Kilmacow, county Kilkenny, have been served with notices preliminary to eviction; will he say whether the tenants on this estate invited the intervention of the Estates Commissioners with a view of arranging terms of purchase; and whether, with a view to saving this district from disorder and disturbances, he will take steps to prevent evictions on this estate.

The hon. Member had also given notice of the following Questions:

To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to negotiations going on for some time back between the tenants on the Robert Tyndall estate, Kilmacow, county Kilkenny, and the landlord in respect to the purchase of their holdings; is he aware the tenants left the settlement in regard to price, etc., in the hands of the Estates Commissioners; and can he now state what reply was given by Mr. Robert Tyndall to the proferred mediation of the Estates Commissioners.

To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants of Mr. Robert Tyndall, Kilmacow, county Kilkenny, opened negotiations with their landlord with a view of purchasing their holdings, and that the landlord insisted upon twenty-six and a half years purchase, which with bonus would make the purchase money thirty years; will he say whether the Estates Commissioners used their power to try and bring about a settlement, and, if so, with what result; and whether the Government will allow the forces at its disposal to be used on this property to carry out evictions.

MR. BRYCE: I will answer these three Questions together. I have no information as to whether the tenants on the estate of Mr. Robert Tyndall have been served with notices preliminary to eviction. The Estates Commissioners inform me that, having become aware that differences existed between the landlord and tenants in regard to terms of purchase, they approached both parties and offered their services as conciliators in pursuance of the Regulations. The tenants agreed to leave the purchase price of their holdings to the Estates Commissioners, but the landlord replied that having regard to the combination against payment of rent entered into by the tenants, he did not see that any useful purpose would be served by the intervention of the Commissioners. The Commissioners thereupon decided that they could not do anything more in the matter of settling the dispute. The Commissioners have no information as to the terms demanded by the landlord, beyond the statement of the tenants that he asked twenty-six and a third years purchase. It is not competent to the executive Government to refuse the assistance of the forces of the Crown for the protection of the Sheriff when engaged in the execution of the King's Writ.

Irish Land Sales.

MR. MEAGHER: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will furnish to the House a Return setting out the names of the landlords in Kilkenny and Waterford, who, having been approached by the Estates Commissioners in the interests of the peace and order of the country to sell their agricultural holdings in the interests of the tenants, declined to do so; and whether he will take a note of the names of these gentlemen, to be considered whenever application is made for the forces of the Crown to carry out civil Bill or other decrees.

MR. BRYCE: The Estates Commissioners inform me that in no case in which they have offered to intervene in the counties mentioned has the owner refused to sell. In one case the owner intimated that he could not see his way to accept the terms offered by the tenants. In another case, the landlord's agent replied that there was now no dispute, but there had been some doubt as to the ownership of the estate owing to the death of the former owner. In a third case, the Commissioners were asked to intervene, but the estate was in the High Court of Justice, and the estate therefore did not fall within the scope of the regulations as to conciliation. In reply to the concluding inquiry of the Question, I would refer to the Answer which I have now given to the Questions of the hon. Member for South Kilkenny.

Audit of the Dublin Corporation Accounts.

MR. JOHN REDMOND (Waterford): I wish to ask the Chief Secretary a question of which my right hon. friend the Lord Mayor of Dublin has given him private notice—whether having regard to the judgment of the Court of Appeal in Ireland in the case of the King, Drury *v.* the Corporation, the Local Government Board will take immediate steps to have the accounts of the corporation audited by Mr. James King the auditor of the North Dublin Union.

MR. BRYCE: The decision of the Court of Appeal referred to was given yesterday, and this morning Mr. King was directed by the Local Government Board to audit the accounts of the corporation.

SIR E. CARSON (Dublin University): May I ask the right hon. Gentleman, was the auditor selected by the Local Government Board or the corporation?

MR. BRYCE: By neither I believe. He is the person whom the Statute indicated; the corporation had nothing to do with the matter.

SIR E. CARSON: What I meant to ask was this. I know the auditor was appointed by the Statute; but Mr. King's name is not in the Statute, and I ask who selected him.

MR. BRYCE: I understand. If the right hon. Gentleman wishes I will have inquiries made. My impression is that he is the person indicated by the Statute as the person to audit the accounts. Certainly the corporation have not come into the matter at all; the appointment is made by the Statute.

MR. JOHN REDMOND: May I ask whether the Statute does not provide that audit should be made by the auditor of the accounts of the North Dublin Union, and whether Mr. King is not that person?

MR. BRYCE: That is my impression.

Scottish Licensing Laws.

MR. FINDLAY (Lanark, N.E.): I beg to ask the Prime Minister whether his promise to introduce temperance legislation next session applies to Scotland.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): The measure of licensing reform contemplated for England next session will not apply to Scotland. I doubt whether, with our other legislative engagements for Scotland it will be possible to find time for a Scottish Licensing Bill. We are, of course, well aware not only of the importance of the subject, but of the interest felt in it in Scotland by the Scottish people.

LICENSING (REMOVAL OF DOUBTS) BILL.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) in asking leave to introduce a Bill to remove doubts as to the manner in which the powers and duties of justices acting in and for a borough may be exercised under the Licensing Acts, 1828 to 1904, said:—I have to ask the leave of the House to introduce a Bill which has for its object the removal of an ambiguity which has arisen in the construction of the Licensing Act, 1904. The House will remember that this measure furnished a method of reducing the number of licensed houses and compensating their owners. Perhaps I may remind the House of the machinery which that statute provided. The justices were authorised to select from among their own number a committee, who were empowered to report houses which they thought were superfluous and ought to be suppressed. That report was to be considered by the body of justices of whom the committee formed a part. In indicating the justices as a body the statute uses the expression "the whole body of justices," and I should have thought it reasonably clear that the form of that phrase was due to a desire to distinguish between the whole body of justices and the part of that body which had been set aside for discharging the functions of a committee. But a different view of the meaning of that phrase has been taken by a Court of the King's Bench Division, presided over by the Lord Chief Justice, and they have attributed to the phrase "the whole body of justices," a meaning which will primarily include every justice upon the commission of the peace for the borough. And as that construction would lead to the patent absurdity that to obtain a lawful order it would be essential that every justice, although infirm or ill or beyond the seas, should attend, it was necessary that some modification of the construction of that phrase in its severity should be arrived at. It has therefore been held that "the whole body of justices" means a majority of one at least of the justices on the commission. Why a majority of one should be tantamount to the whole body rather than a majority of three-fourths, or perhaps a majority with which we are still more familiar, four-fifths, is not explained by the Court which pronounced this judgment. The case was not argued, and it did not apparently occur to the Court that probably Parliament meant by the expression "the whole body of justices" something entirely different. I do not think there is any doubt in the House itself that what was meant was the justices as a body. And the justices as a body have acted from the earliest periods of our licensing law through a majority of those present, after all had been cited. What would be the consequences of this decision one does not need an active imagination to foresee. In the first place, the Act of 1904 is to a large extent made a dead letter. I do not suppose that in a single borough in England the justices have acted in the way held to be alone legal in the administration of that Act. As a consequence, the funds which they have collected have not been lawfully collected, the licences which they have suppressed have not been lawfully suppressed, and the compensation which they have awarded has not been lawfully awarded. But possibly the results are still more grave, for not merely is the administration of the Act of 1904 involved, but the administration of the whole of our licensing law from 1828 up to the present time is thrown into confusion. The Act of 1904 in creating a licensing committee which is to act within the limits of the borough clearly comtemplates, in fact, uses the phrase, that the whole body of justices are to take part in the constitution of the Committee. I do not suppose that in any borough in England the whole body of justices, in the sense in which the Court has used that expression, have taken part in constituting, in the terms of the section, the licensing committee to whom the administration of the various Licensing Acts is, by terms, entrusted. The result, therefore, probably is that, certainly since 1904, the suppression of licences, the renewal of licences, the whole administration of the law is penetrated by an invalidity the full operation of which it is exceedingly difficult to gauge. It may be said that this error might easily be corrected on appeal, but the situation is too urgent, the consequences are too grave, to admit of any delay. As the result of the very grave liability which they have incurred and which they are incurring, the justices in some boroughs have refused to act any further in the administration of the licensing laws, and, inasmuch as Brewster Sessions are very shortly to take place, it is essential that the law should be authoritatively declared before the interests of the very large number of persons who are involved in this branch of our legal administration are put in further peril. I am not surprised that there is a feeling amounting to something like consternation as to the consequences in which they may be involved. In fact, this matter is so grave that it can only be regarded with equanimity by the legal profession, for whom an era of litigation is opening which only their trained nerves can regard with a cool head. There was another reason why this kind of legislation should be introduced. One cannot, having regard to the fact that the Court has pronounced this judgment, come to any other conclusion than that some ambiguity does arise owing to the language which Parliament has used, and if doubts are created with reference to the intentions of a statute, the proper mode for removing those doubts is to appeal to Parliament, who was responsible for the ambiguity, and ascertain what was its real intention in using the phraseology employed. The alternative is to hand the legal puzzle on from tribunal to tribunal, but past experience has shown that that operation seldom leads to a satisfactory result. You may have different solutions of the puzzle by each tribunal, all varying one from another, and all inconsistent with the real intentions of Parliament, and therefore I trust that the House will assist the Government in putting an end to a difficulty in the administration of one of the most important parts of our licensing law. The Bill is entitled "Removal of Doubts," but I do not think there is any doubt whatever in this House. I have had the opportunity, not merely of considering the language myself, but of conferring with those who are responsible for the use of this phraseology, and the construction which I should have myself put on these words, and did put on these words before I conferred with them, does, I am satisfied, truly interpret the intention which Parliament had in framing the section to which I have referred. I need only add that we are protecting, as I think we ought to protect, rights which may have been acquired under judgments already pronounced, and subject to that protection I shall ask the House to adopt the Bill, which has the retrospective effect of declaring the law as from the date of the statute of 1904.

Motion made, and Question proposed, "That leave be given to bring in a Bill to remove doubts as to the manner in which the powers and duties of justices acting in and for a borough may be exercised under the Licensing Acts, 1828 to 1904."—(*Sir John Walton.*)

SIR E. CARSON (Dublin University) said that, having had something to do with the passing of the Licensing Act of 1904, and taking on himself all the necessary responsibility of the law officer who was concerned in its framing, no one was more startled than he when he read the decision of the Lord Chief Justice and his colleagues in the King's Bench Division. He had really come to the conclusion that it was almost impossible to put words in an Act of Parliament which might not by some tribunal receive a totally different meaning from what, he thought, every layman and every lawyer in the House in 1904 attached to them. It was not a new phrase. He supposed that during the last fifty years there had been quite a number of Acts of Parliament in which the word "justices" had been used, and it had never entered into the minds of any one, until this decision, to attibute to the word anything more than a majority of those sitting. If any one would take the trouble to look at the section in this Act of Parliament, it would be seen that it was made particularly clear, because it was put directly in contrast with the committee that was to be set up by the body of justices itself. But, the Court of King's Bench having come to the conclusion referred to by the hon. and learned Attorney-General, without, it was fair to say, any argument as to the probable view that prevailed in the House, it became absolutely necessary to carry out the intention of Parliament. As a rule, he would be opposed to an amending Act under these circumstances. He did not think that either the Courts, or anybody else, ought to get the idea that they could rectify these matters immediately by Act of Parliament rather than by the appeal which was given in ordinary cases to litigants. He thought it would be a bad precedent to lay down that every time a Court made a decision of this kind the House of Commons was to be asked to rectify it. They ought to proceed under the full responsibility of knowing that there was another tribunal that could settle these matters. But the present case involved matters far too grave and far too urgent to allow of that appeal being made, and to continue any longer than was necessary the state of commotion that existed amongst those concerned, both in the trade and the public generally, in the reduction of licences. So far as he was concerned, and he thought he could speak for his hon. friends behind him, he would give the Attorney-General every possible assistance in passing the Bill into law.

Question put, and agreed to.

Bill ordered to be brought in by Mr. Attorney-General and Mr. Secretary Gladstone.

LICENSING (REMOVAL OF DOUBTS) BILL.

"To remove doubts as to the manner in which the powers and duties of justices acting in and for a borough may be exercised under the Licensing Acts, 1828 to 1904," presented accordingly, and read the first time; to be read a second time To-morrow, and to be printed. [Bill 362.]

WORKMEN'S COMPENSATION BILL.

As amended (by the Standing Committee), further considered.

MR. H. H. MARKS (Thanet) moved the insertion of words in Clause 2 in order to give the Act a clearer meaning.

Amendment proposed to the Bill—

> "In page 3, line 4, at the end, to insert the words 'and where posted such notice shall be deemed to have been given, and such claim shall be deemed to have been made at the time of posting.'"—(*Mr. H. H. Marks.*)

Question proposed, "That those words be there inserted in the Bill."

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.) said the Amendment was unnecessary.

MR. H. H. MARKS accepted the right hon. Gentleman's statement, and asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

*MR. ASHLEY (Lancashire, Blackpool) moved to insert "Provided that if an accident causing the injury and death of a workman shall happen abroad or on the high seas, such period of six months shall be extended to eighteen months, or such longer period as the Court trying the action shall deem to have been reasonably sufficient for the preparation of the claim." The hon. Member said his Amendment would have the effect of extending the time given to workmen employed abroad for sending in their claim to receive compensation under the Act. He thought he would be able to show the House that some extension of time was necessary in order to meet a practical difficulty. If the House would look at Clause 2, sub-section (1), they would see that—

> "Proceedings for the recovery under this Act of compensation for an injury shall not be maintainable unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing injury, or, in the case of death, within six months from the time of death."

It was obvious that if the Bill stood as it did now, workmen employed abroad by a British contractor would have great difficulty in making a claim for compensation, and the same difficulty would occur with regard to seamen. He did not suppose that even Members of this House if they were serving upon merchant ships would have sufficient legal knowledge to make a claim for compensation in case of accident or would know what amount to claim. And if they would find a difficulty in founding a claim, how much greater would be the difficulty for seamen who probably had not the education of hon. Members of this House. The object of the Amendment was to give the seaman time to get home and employ a solicitor to draw up a claim and to get the information as to how much he should claim. There were very many tramp steamers absent more than twelve months at a time. In the case of a vessel which went, say to Ceylon, and from Ceylon to Sydney, and from there to Rio, round the Horn and back again to this country, it would be very difficult for a seaman to make his claim. That remark also applied to workmen going abroad. At the time of the Crimean War a great many men were sent out to build the railway to Balaclava, and if this Bill had been in force then it would have been very difficult for any of those men, in case of an accident, to have made a claim before they got home. Again, supposing what was likely enough, that a British contractor obtained one of the contracts in reference to the Panama scheme and took workmen out to assist him, they would very likely be there twelve months or two years, and it would be difficult for them to make a claim. He therefore asked the Government to consider these points. The Government had so far met the case that news must come home, because in Clause 7 they said in the case of a fatal accident the relatives should have six months in which to make the claim. He only asked that the Act should extend to the living the same benefit it extended to the dead. He begged to move.

Amendment proposed to the Bill—

"In page 3, line 4, at the end, to insert the words 'Provided that if an accident causing the injury or death of a workman shall happen abroad or on the high seas, such period of six months shall be extended to eighteen months, or such longer period as the Court trying the action shall deem to have been reasonably sufficient for the preparation of the claim.'"—(*Mr. Ashley.*)

Question proposed, "That those words be there inserted in the Bill."

THE SOLICITOR-GENERAL (Sir W. ROBSON, South Shields) thought most of the hon. Gentleman's points would be adequately met by an Amendment which would be presently moved by his right hon. friend the Home Secretary. In the next clause, too, ample and generous provision was made for dealing with all difficulties or hardships that arose from omission to make a claim in time. A seaman had not got to claim a definite amount, but the point with regard to seamen would be better raised on Clause 7. It would be seen that a seaman need give no notice when the accident happened on board ship, and if he had omitted to make his claim and pointed out that he had been abroad and unable to do so that was eminently the class of case which the Court would treat as shewing a reasonable cause for preventing the man making his claim earlier, and he would not be debarred from making his claim then. The workman was permitted to go to trial in any event, and all technicalities were swept away.

LORD R. CECIL (Marylebone, E.) thought that his hon. friend's point would be largely met by the Amendment of the right hon. Gentleman the Secretary of State. When they came to that Amendment he hoped the Solicitor-General would be able to consider words making it quite clear that absence on the seas should be one of those cases.

Amendment, by leave, withdrawn.

*MR. CLAVELL SALTER (Hants, Basingstoke) moved an Amendment to ensure that proceedings should commence within three months after making the claim for compensation. He said the Amendment was recommended by the Departmental Committee, and it ought to be accepted because it would, while it involved no hardship on the workmen, give reasonable protection to the employer. The Statute of Limitations had no application to proceedings under the Act. In some cases great hardship might result to the employer. Under the Employers' Liability Act there was a limit of time imposed. The proceedings must be commenced within six months in ordinary cases and twelve months in fatal cases, and he held that there should be a limitation in this Bill.

Amendment proposed to the Bill—

"In page 3, line 4, at the end, to insert the words 'and such proceedings are commenced within three months after the making of the claim.'"—(*Mr. Clavell Salter.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE said he could not accept the Amendment. Undoubtedly there might be cases of hardship to the employer under the Bill as it stood, but, on the other hand, the Amendment of the hon. Member might inflict very great hardship on the individual workman who had erred through ignorance, and not through anything which could be looked on as serious neglect. He thought it was best to rely on the view that, where once a claim was made, the employer himself was able to take steps to expedite proceedings.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) thought the Home Secretary might really give further consideration to this Amendment, which he did not think would be hard upon the workman and certainly would protect the employer. If there were no limitation an employer might have an action brought against him at any time; and it might be that when the action was brought all trace of the occurrence was lost. It might also be that after a great lapse of time a medical man would find it impossible to certify as to the injury. If the workman acted in ignorance it would be undoubtedly hard, but he fancied that could be met by the next Amendment of the right hon. Gentleman, therefore he trusted further consideration would be given to this Amendment.

SIR W. ROBSON said he was quite sure the Amendment would be favourably considered if there were any kind of necessity for it. The making of the claim was itself the commencement of the proceedings, and if a workman, after making his claim, chose to lie by, it was competent to the master to take steps to hurry on the proceedings if he thought it was a *bona fide* claim, so that there was no occasion to put on the workman the severe penalty of losing his right of action altogether. After all, this claim for compensation was a litigation, and a litigation which never ought to be hastily entered upon without counting the cost. It would be very hard if, because a man through want of means was driven to delay an order for three months, he should lose his right of action altogether.

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 3, line 12, after the word 'cause,' to insert the words 'and (b) the failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that the failure was occasioned by mistake or other reasonable cause.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. COCHRANE (Ayrshire, N.) said if the right hon. Gentleman compared the Amendment with the clause he would have some doubt as to the draughtsmanship. The word "mistake" would appear twice in succeeding lines, and give rise to very considerable confusion. Notice was required to be given as soon as practicable, and if there was any defect in the notice it was not to be a bar to proceedings if it was found that the employer would not be prejudiced in his defence. The right hon. Gentleman proposed to deal with the claim on a different footing. If the Amendment were adopted it would always be found that there had been a mistake. Why not boldly leave out the word "mistake" altogether? That appeared to be the only solution. Nobody wanted the employer to be prejudiced in his defence, but if the claim were made twelve or eighteen months afterwards, or even after a longer interval, all the witnesses might have disappeared, and it might be impossible for the employer to resist the claim. He would suggest the addition of the words "provided that the employer is not thereby prejudiced in his defence."

MR. ASHLEY moved to amend the Home Secretary's Amendment by inserting after "mistake" the words "absence abroad." He agreed that the case of seamen was very fairly covered by Clause 7, but it might be held by the Court under this clause that absence abroad was not a reasonable cause. As he was sure the Government did not wish to exclude any British workmen employed by a contractor abroad, he hoped the right hon. Gentleman would accept the words he now proposed.

AN HON. MEMBER suggested the words "service abroad."

MR. ASHLEY said he would accept the suggestion.

MR. KEIR HARDIE (Merthyr (Tydvil) thought "employment abroad" would be better.

*MR. GLADSTONE said he would accept the words "employment abroad."

Amendment proposed to the proposed Amendment—

"To insert after the word "mistake," the words "employment abroad."—(*Mr. Ashley.*)

Question, "That those words be there inserted in the proposed Amendment," put, and agreed to.

SIR E. CARSON thought some answer was required to the suggestion of his hon. friend the Member for Ayrshire. He was not prepared to argue whether this limitation ought to be put in or not; but if they did put in this provision they would practically wipe out the limitation altogether. Cases might arise in which the employer would be prejudiced. He would therefore move, for the purpose of raising the question, to add to the Home Secretary's Amendment the words "provided that the employer is not, in the opinion of the Court, thereby prejudiced in his defence."

Amendment proposed to the proposed Amendment, as amended—

"At the end, to add the following words, 'provided that the employer is not, in the opinion of the court, thereby prejudiced in his defence.'"—(*Sir E. Carson.*)

Question proposed, "That those words be there added to the proposed Amendment, as amended."

SIR W. ROBSON pointed out that they could not always proceed with due promptitude for reasons which he had already stated, and it would be a very severe penalty where a workman had neglected to do this that he should be deprived of all right to make a claim. That would be a very heavy penalty, and it was one which they did not wish to impose. The better plan was to confine this provision to extreme cases. If a man did not know that he had to put in his claim within six months, or if he was employed abroad and could not get back to the United Kingdom, he thought it was only fair that he should be at liberty to put those facts before the Court, and the Court should have power to excuse him. They did not want to bar every man who had made a mistake, but at the same time they ought to insist that everybody should proceed with reasonable promptitude. As the clause stood originally it was applicable to both notice and claim. They had now made two sub-sections, one applicable to notice and the other to claim, and it was merely a drafting alteration. There was a provision that a defect or inaccuracy in the notice should not be a bar to the proceedings if an amended notice was then and there given. That was applicable to notice only and not to claims. Before a claim was made notice had to be given of the injury, and it would be very rare indeed that a man would take the trouble to give notice unless he intended to follow it up by a claim. Therefore both parties would take care to preserve the evidence, and a claim could not be sprung upon an employer without due notice. It would be rather hard to bar a workman from all further right to claim compensation, no matter how serious his accident, by reason of inadvertence, or poverty, or for any mistake.

*MR. CLAVELL SALTER (Hants, Basingstoke) said he was perfectly confident that if the whole provision was not to be a dead letter it was necessary that the Amendment of his right hon. friend should be inserted. At present the workman must either make a claim or satisfy the Court that his omission to do so was occasioned by a mistake. Unless that was done the Court had no discretion at all. The expression "occasioned by a mistake" was one of the loosest and most unsatisfactory that could be used. It would be impossible to distinguish between a mistake and negligence. If a man said he was not aware of the provisions of the Act, and did not know that he had to give notice, the Court would have no option but to allow the proceedings to go on. As far as the principle of this provision was concerned they were all agreed. The principle was that they ought to fix a period and give the Court the widest and the most real discretion, having regard to two things, prejudice to the man who had to pay on the one hand, and hardship or reasonable excuse of the workman on the other. He could not understand upon what grounds the Government felt any difficulty in accepting the Amendment, for they had already put into their Bill these very words when dealing with the discretion of the Court in regard to notice.

MR. WALLACE (Perth) pointed out that, even if the Court was convinced that owing to absence abroad or for any other reasonable cause relief ought to be granted, if the slightest prejudice was shown to the employer the Court would be debarred from granting relief.

SIR E. CARSON said he was satisfied if a discretion was given, and he was quite willing to withdraw his Amendment.

MR. CORY (Cornwall, St. Ives) said the word "mistake" opened the door very widely, and he thought if that words "by mistake or other" were left out it would strengthen the clause.

SIR CHARLES SCHWANN (Manchester, N.) said that he knew from experience in his own constituency that often six months elapsed without a sufferer by an accident having the slightest notion that he would have to make any application. In spite of the fact that the objects of this Bill had been explained in many trade journals and various reports, he had received within the last fortnight applications from working men who did not understand whether their case came properly under the Act or not. He had had considerable experience upon this subject, and ever since the last Act was passed he had been freely consulted, probably because he did not charge a fee. He knew perfectly well the facts of the case, and he had no hesitation in saying from his own experience that frequently six months elapsed before an injured person became conscious that he ought to have made a claim. Many employers frequently paid an injured workman full or half wages, and it often happened that the workman was not told about making his claim until his sick pay was stopped. He supported this proposal because he considered it was necessary.

MR. FENWICK (Northumberland, Wansbeck) felt that some such words as the Home Secretary had proposed were absolutely necessary in order to prevent a repetition of cases of extreme hardship which had occurred under existing Acts. He knew of a woman who lost a great part of her right hand, and her employers provided her weekly with the greater part of the wages she had formerly been receiving. She was repeatedly urged to bring her claim for compensation, but she thought the generosity of the employers would continue. At the end of six months, however, their generosity dried up, and when she made her claim she was told that it was too late. That was not likely to happen to members of big trade unions. They were able to protect themselves, and it was in the unorganised trades that the hardship occurred. It the late Government had accepted their suggestion on this point when the Act of 1897 was being passed many hardships and difficulties would have been avoided.

MR. WOLFF (Belfast, E.) said such cases as the hon. Member for the Wansbeck Division had referred to had often occurred. They occurred oftener some years ago than lately, because the knowledge that under the Act anyone who met with an accident was entitled to compensation had become infinitely more general than it was before. If this Bill passed with the clause proposed by the Home Secretary there would be no possibility of anybody not getting compensation owing to inadvertence. He quite approved of the Amendment, but he thought it went too far. It put in the words "by mistake," and left no option to the Court whatever. It compelled the Court to accept any mistake whatever as an excuse for commencing an action months or years after the accident. He thought if the section was simply confined to the words "some reasonable cause," and it was left to the discretion of the Court to say whether the cause was reasonable or not, the requirements of the case would be met. If the mistake or inadvertence was reasonable the Court would allow it, and the workman would not be placed at a disadvantage; but if the words "by mistake" were to be accepted no employer would be sure that an action might not be brought against him long after the evidence which would have enabled him to prove that he was not to blame had disappeared. He was quite anxious to be fair to working men, but he thought the position of the employers ought also to be considered.

Mr. JOHN O'CONNOR (Kildare, N.) said that, while they all appreciated the generous speech of the hon. Member for East Belfast, he could not agree with the suggestion he had made. All who had had experience of the operation of the Compensation Acts knew that there were occasions when mistakes would operate against workmen getting justice under these statutes. He would give the House the benefit of a little experience he had had this week. In a case in which he was engaged the time for taking action under one of these Acts expired on a Friday. The papers which it was necessary to lodge were sent a day or two before the expiry of the time for giving notice, but the registrar of the county court discovered that there was one paper short. The solicitor who was conducting the case stated that all the papers required by the rules of the county court had been put in the envelope. At all events, the registrar sent back the papers to the solicitor and demanded to have the proper number of papers sent to him. Sunday intervened. The papers, which were returned by the next post, arrived on Monday—a day beyond that on which they should have been sent. That was a reasonable cause of delay. There had been a mistake on the part either of the solicitor or of the reigstrar of the county court. When they appeared in Court in the course of the week this technical objection was taken, and the county court Judge, a reasonable and humane man, asked the counsel on the other side whether he really meant to press that objection. The counsel replied that he had instructions to do so. Those who instructed him were a well-known insurance company. With very great regret and anger the county court Judge said, that while he thought it was a most unreasonable objection to take, he was obliged to decide against his client the plaintiff. He could relate many experiences similar to that stated by the hon. Member for the Wansbeck Division. He therefore hoped that the words would be retained.

Mr. WILLIAM ABRAHAM (Glamorganshire, Rhondda) believed that if those who were opposing such Amendments as this had a little more experience of these matters their opposition would be removed. One ounce of experience was worth a ton of theory. He knew a case where an employer in South Wales paid a workman £1 per week for six months, and then when the time for giving notice had expired the £1 a week stopped. When an action was brought into Court the plaintiff was nonsuited. He knew another case where a young man six months ago neglected to give notice. An official of the company in whose employment he had been kindly informed him a week or two after the accident that it was necessary to give notice. Six weeks ago the manager of the company was surprised to learn that the young man had not received his compensation. The money had not been paid, not because the employers were unwilling to give it, but because the case was in the hands of an insurance company. He hoped the Home Secretary would adhere to his proposal.

Mr. LAURENCE HARDY (Kent, Ashford) said this discussion had shown that some such words as those proposed by the right hon. Gentleman the Member for Dublin University were necessary. There had been hard cases under the present law, but he believed that if the Amendment of his right hon. friend were accepted those cases which they deplored would be stopped in future. Notwithstanding what the Solicitor-General had said as to its being perfectly easy for an employer to keep under his hand a note of the evidence that might be necessary in the case of a claim being made at a remote date, he thought the Government might accept the words proposed by his right hon. friend.

*MR. REES (Montgomery Boroughs) said it was very desirable that this Amendment should be carried in the terms in which the Home Secretary introduced it, and the interval allowed was none too long under the circumstances. In his own constituency men injured in South Wales might after a period of convalescence be brought to their homes in Newtown, Machynlleth, or Llanidloes, and that would occasion further lapse of time quite excusable in the circumstances, before the claim was made. It was particularly desirable that this provision should have a sufficiently wide and elastic significance, and he hoped it would be passed in the form in which his right hon. friend had moved it.

Question put.

The House divided :—Ayes, 81 ; Noes, 296. (Division List No. 457.)

AYES.

Anstruther-Gray, Major
Ashley, W. W.
Aubrey-Fletcher,Rt. Hn.Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cavendish, Rt. Hn. VictorC.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates, E.Feetham (Lewisham)
Cochrane, Hon. Thos. H.A.E.
Collings, Rt. Hn.J.(Birminghm
Courthope, G. Loyd
Craig, Capt. James (Down, E.)
Dixon-Hartland,SirFred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Faber, Capt. W.V. (Hants, W.)
Fardell, Sir T. George
Finch, Rt. Hon. George H.
Fletcher, J. S.
Furness, Sir Christopher
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Gordon, J. (Londonderry, S.)
Haddock, George R.
Hardy,Laurence (Kent,Ashford
Harrison-Broadley, Col. H. B.
Hill, Sir Clement (Shrewsbury
Kenyon-Slaney, Rt. Hn. Col. W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lee, ArthurH.(Hants.,Fareham
Liddell, Henry
Long, Rt.Hn.Walter(Dublin,S.)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Parkes, Ebenezer
Pease, Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield,Ecclesall)
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F.E. (Liverpool, Walton
Starkey, John R.
Stone, Sir Benjamin
Talbot, RtHon.J.G.(OxfdUniv.
Thomson,W.Mitchell- (Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Vincent, Col. Sir C.E. Howard
Walrond, Hon. Lionel
Warde, Col. C. E. (Kent, Mid)
Wilson, A.Stanley (York, E.R.
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C.B. Stuart-
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland - Hood and Viscount Valentia.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Alden, Percy
Ashton, Thomas Gair
Asquith, Rt.Hn.HerbertHenry
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Jn. Emmott (Somerset
Barlow, Percy (Bedford)
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont,Hn.W.C.B.(Hexham
Beck, A. Cecil
Bell, Richard
Benn, W.(T'w'rHamlets, SGeo.
Bennett, E. N.
Bethell, SirJ.H.(Essex,Rom'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, ArthurW. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt. Hn.SirJ.T.(Chesh.
Bryce,Rt. Hn.James (Aberdeen
Bryce, J.A. (Inverness Burghs)
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn.Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richd.Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Clynes, J. R.
Coats, Sir T. Glen(Renfrew, W.)
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Cooper, G. J.
Corbett, A. Cameron (Glasgow)
Corbett,C H(Sussex,E.Grinst'd)
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William

Crooks, William
Crosfield, A. H.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dewar, John A. (Inverness-sh.
Dickinson, W.H.(St.Pancras, N.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin(Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Everett, R. Lacey
Faber, George Denison (York)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert Jn.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, Lewis (Monmouth)
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T.H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, S. J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor(Swansea
Jowett, F. W.
Kearley, Hudson E.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
King, Sir Henry Seymour(Hull)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald, J.M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln
Markham, Arthur Basil
Marks, G. Croydon(Launceston
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Md
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow) W.
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Grady, J.
O'Hare, Patrick
O'Kelly, James(Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W. H.M.(Suffolk, Eye)
Philipps, Col. Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Power, Patrick Joseph
Price, C.E. (Edinb'gh, Central)
Price, Robert Jn. (Norfolk, E.)
Priestley, W.E.B. (Bradford, E.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T. F. (Wolverhm'ptn
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee)
Robertson, Sir G.Scott (Bradfd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Sears, L. E.
Seaverns, J. H.
Seddon, J.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Snowden, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Steadman, W. C.
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A.(Glamorgan, E.)
Thomas, David Alfred(Merthyr
Thomasson, Franklin
Tillett, Louis John
Toulmin, George
Ure, Alexander
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley(Southamt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, Jn. Cathcart (Orkney)

Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid)
Wilson, J.W. (WorcestershN.
Wilson, P. W, (St. Pancras,S.)
Wilson, W. T.(Westhoughton)
Winfrey, R.
Wodehouse, Lord

TELLERS FOR THE NOES.—Mr. Whiteley, and Mr. J. A. Pease.

MR. J. WARD (Stoke-on-Trent) said that before the Home Secretary's Amendment was agreed to, he wished to ask whether the phrase "term of employment abroad" did not limit the clause considerably? He would prefer the words "service or absence abroad," because he understood that in the case of apprentices they were held not to be in employment abroad, but only on service.

SIR W. ROBSON did not think the words of the Amendment had any substantially limiting effect, or that any improvement would be effected by the words suggested by the hon. Member. The controlling words were "or other reasonable cause."

Question, "That the proposed words, as amended, be there inserted in the Bill," put, and agreed to.

MR. H. H. MARKS moved in Clause 3, to insert after "scheme" the words "whether now existing or hereafter to be framed." As the Bill stood it was not clear whether the Act referred to existing insurance schemes or also to others which might be formed, and therefore he wished to make the point clear.

Amendment proposed to the Bill—

"In page 3, line 29, after the word 'scheme' to insert the words 'whether now existing or hereafter to be framed.'"—(*Mr. H. H. Marks.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE said the point put by the hon. Member was one which deserved and required attention, but he would bring to his notice an Amendment which he had down to Clause 15 which he thought really covered it. The Amendment which he himself had put down provided that—

"Every scheme under The Workmen's Compensation Act, 1897, in force at the commencement of this Act, shall, if re-certified by the Registrar of Friendly Societies, have effect as if it were a scheme under this Act. The Registrar shall re-certify any such scheme if it is proved to his satisfaction that the scheme conforms, or has been so modified as to conform, with the provisions of this Act as to schemes. If any such scheme is not so re-certified, the certificate thereof shall, as from the commencement of this Act, be revoked."

He thought that that proposal covered the point the hon. Gentleman had raised.

Amendment, by leave, withdrawn.

MR. EVELYN CECIL (Aston Manor) moved to insert after "that" the words "except in the case of seamen." He said the Amendment was not directed towards the exclusion of seamen from the benefits of the Workmen's Compensation Acts. He was always anxious that seamen should be as fully safeguarded as all the other classes concerned, but the Amendment was directed towards another object. Clause 3 provided that a scheme of contracting out of the Act might be adopted if the Registrar of Friendly Societies was satisfied that that scheme provided scales of compensation not less favourable to the workmen and their dependents than the corresponding scales of the Act, and was satisfied that the majority, ascertained by ballot, of the workmen were in favour of such scheme. The point of his Amendment was that it was quite impossible, as he submitted, to discover by ballot the decision of seamen. The seamen employed by a particular employer might be and probably were in different ports, on different ships, and far away, perhaps for a long period. It was therefore quite impossible to get a ballot of all the men in an employ at a given moment, and they ought to be excepted from such a provision. It was, however, desirable to do something for seamen in order that they might get the full benefits of this Act. He noticed lower on the Order Paper there was an effort made in this direction by the hon. Member for Gloucester, who wished to insert a sub-section in which he suggested that the Registrar of Friendly

Societies might, if required by the employer, grant a provisional certificate for a scheme after ascertaining the views of the workmen, if he could further certify that the scheme satisfied all the provisions of the Act. He supposed it would be necessary to insert in the hon. Member's Amendment words providing that the Registrar should, "as far as possible," ascertain the views of the workmen; but in that case if the Registrar was satisfied it might be possible to give the seamen the advantages which other workmen would obtain under the Act. He did not intend to raise by the Amendment the whole machinery of the Act in respect of seamen, or whether it was preferable to insert similar clauses in the Merchant Shipping Act. That could be raised on Clause 7.

*MR. RUSSELL REA (Gloucester) said he seconded the Amendment, not because it would take seamen, sailors and firemen out of the Clause, but because it would bring them in by putting them under some contracting arrangement. The clause itself was a contracting out one, and he was not greatly in favour of contracting out, which ought to be limited and safeguarded. As the clause stood at present, however, shipowners and sailors were absolutely excluded by this difficulty in regard to the imposition of the ballot, and therefore some Amendment was absolutely necessary for the effective application of the clause. A sub-clause standing in his name had already been referred to, in which the safeguards were quite as strong as those which were applied to all other industries under Clause 3, which provided a practicable alternative for seamen. If they were to have a contracting out clause he could not see why seamen should be excluded from it. On the whole he thought that if the right hon. Gentleman should accept the Amendment of the hon. Member for Aston Manor and his own sub-clause it would protect the shipping industry and preserve all the safeguards which at present existed in the case of other industries. He would be content if the right hon. Gentleman would undertake to consider the case of the shipping people, because it was physically impossible to provide for a ballot. It might be provided that the ballot should be taken by degrees, but by the time the ballot was taken the whole *personnel* of the service might be changed and the men employed would be different. If his sub-clause were adopted or some equivalent it would still be incumbent upon the Registrar of Friendly Societies to discover what the opinion of a sufficient number of men was.

Amendment proposed to the Bill—

"In page 3, line 36, after 'that' insert 'except in the case of seamen.'"—(*Mr. Evelyn Cecil.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE quite agreed that the points raised by the mover and seconder of the Amendment deserved consideration, and that there were difficulties as regarded seamen, but he thought the argument of his hon. friend who had just spoken was really one for excluding seamen altogether from the operation of the clause. Although the hon. Members had said it was a physical impossibility to ascertain the wishes of the majority of seamen by any figures, he had great doubt about it. He did not think it was by any means impossible to do so. The Registrar under this clause could make as many rules as he thought fit to carry it out. Why should not he, by extending the time to six months or a year, give himself an opportunity of ascertaining that a sufficient number of men employed by a particular company were in favour of a scheme? His hon. friend had said that after six months there might have been a good many resignations and changes, but there again the Registrar could come in and make regulations, and it did not follow that because a number of men had resigned that official could not discover for the purpose of the clause whether or not the majority were in favour of a scheme. He thought the clause must stand as it was, or that the sailors must go out altogether, and he was not prepared to keep them out. He could assure the hon. Member that the Chief Registrar would very carefully consider the matter and meet the views which had been expressed that evening. It was quite clear that they could not accept the Amendment.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.) could hardly believe that the right hon. Gentleman had rightly appreciated the force of the contention made in support of the Amendment. Let him give the House a practical illustration. For a good number of years he had been concerned in the shipping trade between two foreign ports, and he could assure the right hon. Gentleman that the reports and figures as to the changes of the crew would really surprise him. It was impossible to get, with anything approaching accuracy, the opinion of the seamen even at any one particular port. There was one possible solution. They might cut down the decision to that of a majority on particular ships, but he suggested that a solution might be found in the adoption of a standard or general scheme possibly with the approval of the Board of Trade and the Registrar of Friendly Societies. Then it would be perfectly easy to ascertain the opinion of the men at the time they joined the ship and received their advance notes. He put that forward as a practical point, because he could assure the right hon. Gentleman that no matter what view the Registrar took it would be absolutely impossible to work the provisions of the section as they stood.

MR. CAIRNS (Newcastle-on-Tyne) said, as one who had advocated the inclusion of seamen in the Workmen's Compensation Act from the beginning, he was naturally anxious to see them secure the full benefits under the Bill. He was not prepared to support the Amendment, but at the same time he did not feel altogether comfortable as to the phraseology used in the Bill. It laid down very clearly the method by which the registrar was to ascertain the opinion of the majority of seamen. It was strictly limited, and if the registrar found a ballot impracticable, and he personally regarded a ballot amongst seamen as almost impracticable, he would not have the option of using some other method whereby he could arrive at the opinion of the majority. He thought that in the case of seamen the registrar should have at his disposal another optional method. He was not prepared at the moment to suggest amending words, but he trusted that the right hon. Gentleman in charge of the Bill would undertake later on to frame the clause so that the Registrar might have discretionary powers. What he was most concerned about was to see that the seamen secured full benefits under the Bill.

MR. WALSH (Lancashire, Ince) said he had no special claim to speak on behalf of the seamen, but he had been puzzled to find out what was the real desire for this contracting out. Under the provisions of a contracting-out scheme the employers were to be obliged to give to the workpeople as much as they would be called upon to pay under the Act, and therefore it was difficult to see the real necessity for the contracting-out schemes that had been suggested by an hon. Member on the Opposition side. He believed the Government were taking the right line in this matter, and he hoped they would stick to it.

*MR. COCHRANE said in many instances these contracting-out schemes cost not only as much as, but more than the employers would have to pay under the Act, but one of the principal reasons why they wished for them was that they desired peace. They wished to have a settlement with their own men by which if any accident occurred both the master and man might know exactly, on the one hand, what he would have to pay, and, on the other, what he would receive, so that the money might be paid at once without going to arbitration or the Court. He thought that unless some words were inserted, seamen would be excluded from the opportunity of contracting out. The clause ought to be so drawn that no obstacle was placed in the way of friendly arrangements between the employers and the men, which were made in the interests of peace and were beneficial.

SIR W. ROBSON said he was afraid the Government could not accept the Amendment. There was no doubt that the new contracting-out clause would very materially limit contracting out, and if the employer gained no financial benefit, schemes were not likely to be very largely adopted. After all, the scope of the clause was not very wide. The provision that the majority of the men should give their assent would be worthless unless some secrecy were provided for in the mode by which the assent was ascertained. He thought the ballot was probably as good as any other method. The Government were not disposed to dispense with this safeguard for seamen unless, as in the case of other employers, the assent of the majority of the men could be ascertained by some secret method. The case of seamen was quite different from that of workmen on shore. Their employment was not permanent, but was merely an engagement for a voyage, and if it were the fact that these provisions made contracting out more difficult in the case of seamen he would not regret it.

MR. F. E. SMITH (Liverpool, Walton) said he wished to add only a single observation, and that was with reference to a remark in more than one quarter of the House that contracting-out schemes were not likely to be numerous, having regard to the fact that they were not likely to result in any economy or gain. Undoubtedly there were some schemes in existence which were more beneficial than the compensation provisions of the Bill. He did not say that they were numerous, but if there were no advantage in the maintenance of contracting out it was a mistake to preserve such facilities at all. If, on the other hand, it was an advantage to maintain facilities for contracting out for workmen generally there was no reason why, if they could reasonably secure it, they should not obtain that advantage. There was a way of securing it which seemed to him to preserve all the advantages, if such there were, to seamen without exposing them to disadvantages which had attracted unfavourable comments in various parts of the House. It was desirable that if votes were to be taken at all they should be taken by ballot, and he would suggest that the operation of the ballot might perfectly well be limited to individual ships. If that course were adopted they would secure any possible advantage, and would negative altogether the theory that the real judgment and wishes of the men might be obscured.

SIR ROBERT ROPNER (Stockton) said he had always been in favour of sailors getting compensation equally with men who worked on land, but he wished that the matter had been dealt with under the Merchant Shipping Bill, as it might then have been better discussed. As the clause now stood there was no doubt in his mind that seamen would have no chance of contracting out, for as a matter of fact there was no possibility of obtaining the views of the sailors by ballot or otherwise. He thought it unfair that seamen should have no opportunity of coming under alternative schemes, and he was sorry the Home Secretary and the Solicitor-General had not seen their way to amend the clause in this direction. There was no necessity, so far as he could see, of at once coming to a decision. If the Home Secretary would say that if the Amendment were withdrawn he would fully consider the whole matter, and at a future stage bring forward a clause to meet the view of practical owners, that would be sufficient. Seamen would then be placed in exactly the same position in regard to contracting out as their fellow-workmen on shore.

MR. C. DUNCAN (Barrow-in-Furness) sincerely trusted the Home Secretary would not withdraw the words. He had failed to hear any argument yet adduced to show that it was impossible to take a ballot. It would be a very easy thing to do on a ship. He took it that the Registrar would lay down rules and that if a ballot were taken when the crew were on board it would be difficult for the crew to get away from the ballot. There was conclusive evidence that if there was a place where a ballot could be taken it was on a ship, but he contended that if there was a case to which contracting out should not apply, it was the case of men who had gone to sea.

*MR. HERBERT SAMUEL said there seemed to be some difference of opinion as to what was really meant by the word "ballot." It simply meant a secret vote. Hon. Members opposite would agree that the views of the seamen should be ascertained by a secret vote; therefore the views of the men should be ascertained by a ballot, and the only question was what form of ballot should be adopted for this particular purpose. If it were possible to take a ballot on a single ship belonging to a company, as the hon. Member for Liverpool had said it was, it was equally possible to take a ballot of all the ships of the company one by one. On the understanding that had been given that the Registrar would frame rules to meet any difficulty he hoped the House would allow this section to be taken. They did not desire to lay down any cast-iron rules, and every effort would be made to insure that the provision should be a real provision and properly applicable to seamen as well as workmen on shore.

*MR. CARLILE (Hertfordshire, St. Albans) said they had the opinion of experts on this subject to the effect that the ballot could not be taken. The Opposition had no objection to the seamen expressing their opinion upon the subject, but, inasmuch as the provisions of schemes under the contracting-out clause must be more favourable to the interests of the seamen than the provisions of the Bill, it was doubtful whether the seamen would derive any special benefit from a ballot. It was extremely difficult to see why the right hon. Gentleman should insist on retaining the ballot in his clause. Those who had a practical knowledge of shipping said that the thing was impracticable. It was suggested by the Solicitor-General that masters when engaging men would insist upon their acceptance of the master's own suggestions as one of the conditions of employment. He thought that even if a master did insist upon seamen accepting better terms than were provided by the Act the Unionist Party, at any rate, who had the interest of the workmen at heart, and who passed the first Act for the protection of the vital interests of the working people of this country, should not stand in their way. The Solicitor-General had asked why the masters preferred to deal with their own men. He was not going to elaborate the reasons why masters preferred to deal directly with their workmen, but one reason was that they did not like to be dictated to by trade union officials. In that respect they were unlike the present Government, who were accustomed to it.

*MR. SPEAKER: Order, order. The hon. Member must confine his remarks to the Amendment.

*MR. CARLILE said there were many owners of ships, who would be glad to deal directly with the men, and in many cases they would give them far better terms than they would get through the officials of trade unions or from any Bill which a Radical Government might devise. Very often employers would do their own initiative things which they of would decline to do at the bidding of a hard and fast Act of Parliament. For these reasons he supported the Amendment, and he trusted that the right hon. Gentleman in charge of the Bill would see his way to redraft the clause so that seamen would have every facility given to them for contracting out.

*MR. CLAVELL SALTER said they all agreed that the opinion of the seamen should be taken. In dealing with a large number of seamen it was almost impossible to ascertain what at any given time was the prevailing opinion amongst them unless the opinion was taken simultaneously. It followed that the ballot would have to be taken on board ship. He understood that the Under Secretary to the Home Office had stated that when the regulations for which provison was made in subsection (8) were published, the Home Office would see that the Chief Registrar of Friendly Societies made the provision they had been contending for. Under those circumstances he should advise his hon. friend to withdraw his Amendment.

MR. EVELYN CECIL asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 3, line 38, to leave out the words 'until the certificate is revoked,' and insert the words 'whilst the certificate is in force.'"—(*Mr. Gladstone.*)

Amendment agreed to.

MR. WALSH moved an Amendment providing that where the workpeople paid to any scheme the Registrar should satisfy himself that they received an equivalent benefit in addition to those conferred upon them under the Act. In many of the contracting-out schemes in existence payment was made by the workpeople or deductions were made from their wages as a condition of the scheme. . It seemed to him that in order that the workers should derive the benefit of their contributions they ought to receive something in addition to the benefits under the Act. If a scheme was brought into force under the provisions of this section it would only be necessary for the Registrar to satisfy himself that the scheme gave to the workpeople conditions not less favourable than those under the Act, but if allowance was made for the contributions the total benefits must be in excess of the provisions of the Act. In his remarks the Solicitor-General seemed to meet the point he desired in his Amendment, and if that was the case he would not press it. In Lancashire they had been actively engaged in this business for many years. They had consulted their legal advisers who were of opinion that the wording of the section would only place upon the Registrar the obligation of finding out whether the provisions of the scheme gave benefits equivalent to the provisions of the Act and not necessarily a further benefit equivalent to the contributions paid. He begged to move.

*MR. GLOVER (St. Helens) seconded. He said it had been stated that there were many schemes more beneficial than the Act itself, but he had never seen any of them. With regard to the schemes of the past and the schemes in operation under the Act he wished to point out that they were not as favourable to workmen as they ought to be. He would like to have an undertaking that under the new Bill the Registrar would be bound to give to a workman, if the scheme was enforced, the benefits which the Act provided for. One scheme with which he had had to deal was forced upon the workmen without their consent, and it was clearly proved to the Registrar that the benefits which the men were receiving were not equal to those the Act would give them. In that case, in 1898 721 of the workmen were for the scheme and 1,719 against it, and again in 1901, when another ballot was taken, there were for the scheme 267 and 1,593 against it, but in spite of that majority against it the Registrar sanctioned the scheme. After five years experience the men were not getting under the scheme the benefits they ought to be receiving, for they were only paid 12s. a week in case of accident, although they had to pay a contribution of 3d. a week out of their earnings.

Amendment proposed to the Bill—

"In page 4, line 3, at the end, to insert the words, 'Where payments by the workpeople are made to any such scheme the Registrar shall, before issuing his certificate, satisfy himself that an equivalent benefit is granted to the workpeople therefor, in addition to the benefits conferred upon them under this Act.'"—(*Mr. Walsh.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said he was glad the hon. Member had moved this Amendment because it gave him an opportunity of explaining the new clause. The Government had made some very material differences between the contracting out clause in the new Bill and that in the old Act. First of all, there were two conditions with regard to compensation which must be fulfilled before a certificate could be issued. There was in the old Act simply one. The old Act stipulated that the Registrar should satisfy himself that a scheme was not less favourable than the Act. That was the only condition from the financial point of view which the Registrar had to take into consideration. Under the old Act there might be a lower scale of compensation and yet the Registrar might consider that that scheme was on the whole as good because of the other benefits offered by the scheme. Under this Bill the Registrar must satisfy himself not only that the scale was not less favourable, which was the first condition, but also that, even with the contributions that might be called for from the workmen, the provisions of the scheme were as good as those provided by the Act. He asked the House to see what that meant. Supposing a workman made a contribution and was offered a scale equal to that laid down by the Act he was not getting benefit equal to that provided by the Act, because he was paying for it. Therefore the Registrar could not certify that scheme, as it was not on the whole as favourable to the workmen. It would work out in this way, that any benefit which was paid for by the workmen must be at least equal to the contribution by the employee. Under the clause as it stood the Registrar would not be entitled to certify any scheme which gave the workmen less than he would get if there was no scheme; he must not be in a worse position under a scheme than under the Act. The object aimed at by the Amendment was entirely met by the words in the clause. He thought the mode which the Government had adopted was better than an express provision saying that the workmen's contributions were to be the measure of some corresponding benefit which was not defined. First of all, the Registrar had to see that the scheme was equal to what was provided by the Act, and then he had to see that the benefit given by the scale was not lost by any scheme.

MR. BRACE (Glamorganshire, S.) said the matter before the House was one of the first importance. The reason that the Amendment had been moved at all was because of the unhappy experience of the operation of contracting out schemes. He had carefully read the clause in the Bill, but it would be the essence of foolishness for him to express an opinion where the Solicitor-General had given his. He was, however, bound to say that to an ordinary man it was not clear in the clause as at present drafted that under a contracting-out scheme the workman was to be given the full benefit of the Workmen's Compensation Act plus the additional benefit for the payments he made. His experience of the Registrar had not been a happy one; he had absolutely no confidence in him so far as his discretion and judgment were concerned.

SIR W. ROBSON pointed out that the Amendment only directed the Registrar to do that which under the clause as now drafted he must do.

MR. BRACE said that his experience of the attitude of the Registrar towards workmen emphasised the necessity of having words inserted in the Bill which would leave that official no room to make mistakes. Registrars had made mistakes—very terrible mistakes so far as workmen were concerned—which had cost them piles of money. He was afraid that it would not be in order at that stage, but he could a tale unfold which would encourage the House to agree that the Registrar was not quite the person to be given full discretion on the subject. It was because he thought his friends were afraid to take any chance upon this vital and important matter that he asked the Home Secretary and the Solicitor-General to accept the Amendment, so that there would be no doubt that workmen should have full benefit of the compensation under the Act, and that if they paid any additional sum they should have the benefit of that also.

MR. F. E. SMITH thought the Solicitor-General was wrong in the opinion he had expressed. The point was not absolutely clear, and it was one with respect to which it would be easy to find plausible arguments in a Court of law in opposition to the view of the Solicitor-General. The hon. and learned Gentleman had laid great stress upon the difference between the contracting-out clause in the old Act and the clause in this Bill. He ventured to doubt whether a careful study of the words in the clause now before the House supported the contention of the Solicitor-General. He submitted that if the grievance which was felt by the Labour Members survived the contracting-out clause in the last Act it would survive the contracting-out clause in the present Bill. He asked whether the Government could not accept the words of the Amendment or similar words in order to secure the object which seemed to be desired by hon. Gentlemen below the gangway.

*MR. GLADSTONE undertook that in the other House the clause should be amended to provide in clear terms that there should be equivalent benefit to every workman for his contribution.

MR. WALSH said that in view of the statement made by the Home Secretary he would ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. J. WARD (Stoke-on-Trent) moved an Amendment on sub-section (3) of Clause 3 to provide that no scheme should be certified by the Registrar "which involves compulsory deductions from wages." In dealing with wages questions the House had for a considerable time decided that it was wrong in principle to allow employers to make deductions for any purpose whatever from the wages which workmen had earned. That was the principle underlying the Truck Acts, and regulations of a similar description had insisted upon the principle. He believed this was the only safe way of dealing with the question of contracting out, and that it would solve the problem which the House had just been discussing. There were employers who employed an enormous number of casual men with whom it was impossible to enter into a contracting-out scheme. It seemed most unfair that in that casual employment a man who asked for work should be compelled to submit for two or three weeks, or even four or five months, to a certain portion of his wages being deducted, from which deduction he would derive no benefit whatever. Why should he be compelled to sign an agreement to allow such deductions from his wages? He must press this Amendment because he entirely disagreed with the principle of workmen being compelled to permit such deductions. If the workmen as a whole agreed to the deduction, that was a different matter; but if it was only one or two or a few men taken on for casual employment, they ought to get the benefit of the Truck Acts. He begged to propose his Amendment.

MR. WARDLE (Stockport) seconded the Amendment, because in connection with railway companies there were now so many schemes for which deductions from wages were made, and he thought they ought not to add any further schemes lest they should make the burden on the workmen too heavy for them to bear. So far as he read the Amendment of the hon. Member for Stoke, its effect would be that it should not be made a condition of employment that the workman should join any such scheme.

Amendment proposed to the Bill—

"In page 4, line 10, after the word 'hiring' to insert the words 'or which involves compulsory deductions from wages.'"—(*Mr. J. Ward.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE said he did not think there was much difference between the hon. Gentleman and the Government on this point. His contention was that there could not be compulsory deductions from wages under the schemes proposed in the Bill. The hon Member had overlooked sub-section (3) which said that—

> "No scheme shall be certified which contains an obligation upon the workmen to join that scheme as a condition of their employment or which does not contain provisions enabling a workmen to withdraw from the scheme."

How could a deduction from a workman's wages be enforced when he could withdraw from any scheme at any moment? Not only that, but the whole conception of the clause was to suggest agreement between employer and employee. It was really very difficult under these circumstances to see how they were giving any encouragment to making compulsory deductions from wages. No doubt illegal deductions might be made in spite of the Truck Acts. Assuming, however, that his hon. friend's contention was accurate, the proposed Government Amendment in the Bill would cover his point. While he sympathised with the object of his hon. friend in moving the Amendment, he could assure him that there was no ground for holding that there could be compulsory deduction under this clause.

MR. WILLIAM ABRAHAM (Glamorganshire, Rhondda) said that he and his friends held very strong opinions against giving any employer power to contract out of the benefits given by the law. He had always admitted that the late Government had had equally good intentions in regard to this matter as the present Government. They had told the House that something would have to be done in order to ascertain the opinion of the workmen, but he was sorry to say nothing had in fact been done. His and his friends' experience of the contracting-out scheme had been most bitter. The injustice workmen had suffered had been more severe than hon. Members would believe. Under a contracting-out scheme where workmen had been paying their threepence a week, they had received less in compensation than men who paid nothing. If a man went to a colliery to ask for employment, and the employer told him that it was not allowable under the Act that it should be made a condition of employment that he should contract out, that would be honourable. But the man would perhaps want employment very badly; he had a family, and their needs were pressing; and when he went to the employer the latter might agree to employ him, but a book would then be placed before him with a contracting-out scheme, and he would have the option whether to sign or not. If he had independence enough to say that he would not sign, then within three days he would be told that his services were no longer needed. Such things had actually happened, and that was the reason he and his friends were insisting upon some plain language being placed in the Bill so that a man should not be robbed of his rights if he did for the sake of employment agree to a scheme of contracting out. They did not believe that the Government had any intention of allowing any wrong to be done, but he hoped that before the Bill passed it would be so worded as to preclude all possibility of anybody suffering in any way.

MR. MARKHAM (Nottinghamshire, Mansfield) said that in all the contracting-out schemes that had come under his knowledge there was not a single one which gave the same benefit to the workman as he would obtain under the Act itself. Where there were a large number of people concerned the tendency was that any scheme put forward should not cost a limited liability company more than the compensation to be given under the Act. [OPPOSITION cries of "No."] The only county he knew where that might occur was Lancashire.

*MR. SPEAKER: The hon. Member is now making a speech which is more relevant to the clause as a whole than to the Amendment, which is of a very limited character.

MR. MARKHAM said he apologised for going beyond the limits of the Amendment, but he wished to point out that if this clause were carried the Home Secretary and the Government would be carrying out the contrary of what they said when in opposition—that they were opposed to contracting out altogether.

*MR. SPEAKER: The hon. Member is too late. He ought to have moved to omit the clause altogether.

*MR. CLAVELL SALTER (Hants, Basingtoke) said the Amendment was either unnecessary or it would render contracting out impossible. He was not concerned to discuss whether or not contracting out was a good thing, or whether if there was contracting out there would be compulsion. But he did say that if there should be any compulsion, it would be compulsion which was unavoidable if any contracting out was to be allowed. The employer and the workmen were free to contract with each other as to whether they would take the benefits of a scheme or of the Act. The majority of the workmen if there was a scheme would have agreed to it, and therefore would be willing to adopt it. The workmen in the minority would be in this position, and hon. Members might call it compulsion if they pleased—he would not quarrel over the term—the employer might say that he was going to discontinue his insurance and all the men who worked with him must come under the scheme. If the minority could not agree with him, he might say that he must dispense with their services. In that sense there would be compulsion. But if they were going to make it impossible to have compulsion in that sense, they would make it impossible to have contracting out at all. It would not be possible for the Registrar-General to devise any scheme which did not involve compulsion in the sense in which hon. Members below the gangway used the word. If this Amendment were carried it would render contracting out impossible.

*MR. HERBERT SAMUEL said the Government did not for a moment accept the views of the hon. Gentleman as to the working of these schemes, and if such a thing was likely to occur under this clause it would be desirable to have words to prevent such compulsion, the likelihood of the occurrence of which was wholly contrary to the view of the Government. Under the Bill the scheme must contain a distinct provision that any workman who was under it could withdraw from it.

*Mr. CLAVELL SALTER: But then he would be dismissed.

*Mr. HERBERT SAMUEL said that if that were to occur the matter would come under sub-section (4) of the clause, which provided for certain consequences to follow if the scheme was not fairly administered, or if its provisions were violated.

*Mr. CLAVELL SALTER: That would not cover a case of compulsion.

*Mr. HERBERT SAMUEL said it would be a case in point, because the scheme would have been administered contrary to sub-section (4) and the Registrar might, upon that being shown, unless the cause of complaint was removed, revoke the certificate. As to the contention of the hon. Member for the Rhondda Valley, they were all agreed that there might be indirect pressure upon certain employees to join in a scheme, but surely the hon. Member who represented the South Wales miners should be the last to put forward such a contention as that. If in South Wales such a course was attempted to be taken, nothing could be easier than for a great and powerful organisation such as the South Wales Miners Federation to intervene and withdraw all their members from participation in the schemes. He believed there were not many non-unionists left in South Wales, and in many other parts of the country the same argument would apply.

*Mr. HUDSON (Newcastle-on-Tyne) said that they in connection with the railway service had had bitter experience in regard to compulsory deductions from wages, and the introduction of provisions which would lead to a similar state of things in arranging compensation would do irrevocable injury to many workmen. Another and most important feature was to be found in the various sick and burial funds existing on our railways which were maintained by compulsory deductions from wages. These matters were inseparably connected with the question of workmen's compensation. Since the passing of the parent Act which came into force on the 1st of July, 1898, the Great Southern and Western Company of Ireland had issued instructions to the effect that men entitled to the benefits of the sick and burial funds for which compulsory deductions from wages were made every week would not receive any allowance for incapacity caused by accident which occurred in the discharge of their duty, and that those entitled to workmen's compensation would receive no benefit although they paid for it. That rule had been operative until just lately, so that in addition to only half wages for incapacity the injured men had had to suffer a deduction of 10s. or 12s. a week for which they had subscribed. If the clause were allowed to pass without a clear and distinct definition of the law that these deductions were not compulsory, in the course of a year they would be exactly where they were now. They knew what had happened in the past, and could not expect anything better in the future. He therefore supported the Amendment.

*Sir CHARLES DILKE understood the Under-Secretary to rely upon the existing law, but under that in great undertakings there could be no doubt that membership of the society was absolutely compulsory and any member not joining was turned out. Unfortunately, it had been held lawful to make deductions and he thought the arguments in favour of the principle of the Amendment were unanswerable although its wording was defective.

*Mr. HERBERT SAMUEL said there were new words in this Bill. Sub-section (3) enacted that no scheme should be certified which did not contain a provision permitting any workman to withdraw from the scheme. That was a change in the existing law. Then there was a power given to the Registrar to revoke a certificate if the Act was violated. These new provisions should prevent the consequences which had been suggested as being likely to occur.

*MR. ASHLEY said he was amazed when he saw on the Paper the Amendment in the name of the hon. Member for Stoke-on-Trent. He did not think the hon. Member could have read the sub-sections which he wanted to amend. No scheme was to be certified which contained an obligation on the workmen to join the scheme as a condition of hiring, and there was a provision enabling the workmen to withdraw from a scheme if he did not like it. This Amendment, however, was directed against these societies as a whole. What did hon. Members want? They wanted that no deduction should be made from wages, and that there should be no contracting out at all.

MR. MOND (Chester) said that while it was perfectly true that no scheme should be certified which contained an obligation upon workmen to join it as a condition of their hiring, yet there was no possible provision which could compel the employer to employ a man who would not join a scheme. He could not see why the Government should not accept the Amendment. He had attended many Grand Committees, but he had never found that hon. Members below the Gangway opposite moved useless Amendments. Their practical experience was better than the theoretical arguments of the Treasury Bench.

Question put.

The House divided:—Ayes, 109; Noes, 244. (Division List No. 458.)

AYES.

Abraham, William (Rhondda)
Acland-Hood, Rt. Hn. Sir Alex F
Anstruther-Gray, Major
Aubrey-Fletcher, Rt. Hn. Sir H
Balcarres, Lord
Banner, John S. Harmood-
Barnes, G. N.
Barrie, H. T. (Londonderry, N)
Beckett, Hon. Gervase
Bell, Richard
Bowerman, C. W.
Brace, William
Brodie, H. C.
Bull, Sir William James
Byles, William Pollard
Cavendish, Rt. Hn. Victor C. W.
Cecil, Lord John P. Joicey-
Clynes, J. R.
Cochrane, Hon. Thos. H. A. E.
Collings, Rt. Hn. J. (Birmingh'm
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Courthope, G. Loyd
Cowan, W. H.
Craig, Capt. James (Down, E.)
Dalziel, James Henry
Davies, Timothy (Fulham)
Dilke, Rt. Hon. Sir Charles
Dixon-Hartland, Sir Fred Dixon
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Fell, Arthur
Fenwick, Charles
Findlay, Alexander
Fletcher, J. S.
Fullerton, Hugh
Gardner, Ernest (Berks, East)
Gill, A. H.
Glover, Thomas
Gordon, J. (Londonderry, S.)
Hall, Frederick
Hamilton, Marquess of
Hardie, J. Keir (Merthyr Tydvil
Harrison-Broadley, Col. H. B.
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Helmsley, Viscount
Higham, John Sharp
Hodge, John
Hudson, Walter
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jowett, F. W.
Kekewich, Sir George
Kenyon-Slaney, Rt. Hn. Col. W.
Lamb, Ernest H. (Rochester)
Markham, Arthur Basil
Marks, H. H. (Kent)
Masterman, C. F. G.
Mildmay, Francis Bingham
Mond, A.
Money, L. G. Chiozza
Morpeth, Viscount
Myer, Horatio
Nicholls, George
O'Grady, J.
Parker, James (Halifax)
Pease, Herbert Pike (Darlington
Pickersgill, Edward Hare
Radford, G. H.
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rendall, Athelstan
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Roberts, G. H. (Norwich)
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rowlands, J.
Rutherford, W. W. (Liverpool)
Sassoon, Sir Edward Albert
Schwann, Sir C.E. (Manchester)
Seddon, J.
Shackleton, David James
Smith, Abel H. (Hertford, East)
Smith, F.E. (Liverpool, Walton
Snowden, P.
Steadman, W. C.
Summerbell, T.
Talbot, Lord E. (Chichester)
Taylor, John W. (Durham)
Thomas, David Alfred (Merthyr
Thomson, W. Mitchell-(Lanark)
Tuke, Sir John Batty
Valentia, Viscount
Wadsworth, J.
Walker, H. De R. (Leicester)
Walker, Col. W.H. (Lancashire)
Walsh, Stephen
White, J. D. (Dumbartonshire)
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid)
Wilson, W. T. (Westhoughton)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C.B. Stuart

TELLERS FOR THE AYES—Mr. John Ward and Mr. Wardle.

NOES.

Acland, Francis Dyke
Allen, Charles P. (Stroud)
Armitage, R.
Ashley, W. W.
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E)
Balfour, Robert (Lanark)

Baring, Godfrey (Isle of Wight)
Baring, Hon. Guy (Winchester)
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barran, Rowland Hirst
Beach, Hn. Michael Hugh Hicks
Beaumont, Hn. W. C. B. (Hexh'm
Beck, A. Cecil
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Bertram, Julius
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Boyle, Sir Edward
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brunner, J.F.L. (Lancs., Leigh)
Brunner, Rt Hn Sir J T (Cheshire
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Campbell-Bannerman, Sir H.
Carlile, E. Hildred
Causton, Rt. Hn. Richd. Knight
Cawley, Sir Frederick
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chance, Frederick William
Cheetham, John Frederick
Clarke, C. Goddard
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cogan, Denis J.
Collins, Sir W. J. (St. Pancras, W.)
Condon, Thomas Joseph
Corbett, A. Cameron (Glasgow)
Corbett, C H (Sussex, E. Grinstd
Cory, Clifford John
Crean, Eugene
Crombie, John William
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson W.H. (St. Pancras, N
Dickson-Poynder, Sir John P.
Dolan, Charles Joseph
Donelan, Captain A.
Dunne, Major E. Martin (Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Everett, R. Lacey
Faber, George Denison (York)
Farrell, James Patrick
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gibbs, G. A. (Bristol, West)
Ginnell, L.
Gladstone, Rt. Hn Herbert John
Griffith, Ellis J.
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardy, Laurence (Kent, Ashfr'd
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Hayden, John Patrick
Hedges, A. Paget
Herbert, Col. Ivor (Mon. S.)
Herbert, T. Arnold (Wycombe)
Hill, Sir Clement (Shrewsbury)
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holden, E. Hopkinson
Hope, W. Bateman (Somerset, N
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Jones, Sir D. Brynmor (Swansea
Kennaway, Rt. Hn. Sir John H.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
King, Sir Henry Seymour (Hull
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S)
MacVeigh, Chas. (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston
Mason, James F. (Windsor)
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholson, Chas. N. (Doncast'r
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Donnell, C. J. (Walworth)
O'Hare, Patrick
O'Kelly, James (Roscommon, N.
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parkes, Ebenezer
Partington, Oswald
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Percy, Earl
Philipps, Col. Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pirie, Duncan V.
Powell, Sir Francis Sharp
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert Jn. (Norfolk, E.)
Priestley, W.E.B. (Bradford, E.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Seaverns, J. H.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick, B.
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Bell
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soares, Ernest J.
Spicer, Sir Albert
Starkey, John R.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stone, Sir Benjamin
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Taylor, Theodore C. (Radcliffe)
Thomasson, Franklin
Thornton, Percy M.
Tillett, Louis John
Tomkinson, James
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vincent, Col. Sir C. E. Howard
Wallace, Robert
Walton, Sir John L. (Leeds, S.)

Walton, Joseph (Barnsley)
Ward, W. Dudley (Southamt'n
Warde, Col. C. E. (Kent, Mid)
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E. R.)
White, Patrick (Meath, Nort)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Winfrey, R.
Wodehouse, Lord
Younger, George

TELLERS FOR THE NOES.—Mr. Whiteley and Mr. J. A. Pease.

*MR. CLAVELL SALTER moved as an Amendment to delete the words providing that a scheme should not be certified "which does not contain provisions enabling a workman to withdraw from the scheme." He said the words he proposed to strike out by his Amendment formed no part of the Act of 1897 nor did they form any part of the Bill introduced by the Government. They were inserted in Grand Committee and their insertion was a mistake. He moved his Amendment on the sole ground that if these words were left in, contracting out would become practically impossible. The first essential of any scheme from an employer's point of view was that it should have a certain degree of permanency, otherwise he would not consider it at all. A certificate once given must be available for a period of at least five years. The original provision for sanctioning schemes contained a proviso that a scheme should not be sanctioned if it contained an obligation on the part of the workman to join it as a condition of his employment. That proviso could only apply to the men who were in the employ when the scheme was first started. It could not apply to the men who joined after, because with regard to those the employer could make it a condition that they should join the scheme, or otherwise he would not employ them. This Bill now proposed to add these words, that no scheme should be sanctioned unless it contained an express provision to enable a workman to retire from it, though he had accepted the scheme and agreed to be bound by it, and although there was no fault to be found with it. The workman therefore might go back on the contract he had made and take advantage of the Act instead of the scheme. If that was allowed there was an end to all contracting-out. This enabling any number of workmen, as individuals, without any reason given, at any time, to withdraw from a scheme would leave the employer in a very difficult position. It was a position which no employer would ever take up. Those who took the view which the Government certainly held, that on the whole the balance was in favour of contracting-out, ought in justice to support this Amendment.

MR. ASHLEY seconded the Amendment.

Amendment proposed to the Bill—

"In page 4, line 10, to leave out the words 'or which does not contain provisions enabling a workman to withdraw from the scheme'"—(*Mr. Salter.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR W. ROBSON said the words were of importance. They were intended to safeguard the workman with regard to all contracting-out schemes. It might be that a workman would accept a scheme when it was put to him in alluring terms, and afterwards, on examination, change his mind. These words would enable him to do so. If he did withdraw he had another safeguard in another sub-section which had to come on, by which it was provided that the Registrar might refuse to certify if he thought the scheme was being unfairly worked. Supposing a scheme contained a provision entitling a workman to withdraw and he did withdraw, losing his claim in consequence, it could not be said that the scheme was properly worked. The Government had recognised that the Bill would be of little use to the workman if he ran the risk of being driven out of its benefits. They had provided these safeguards, and were not disposed to part with any of them. He hoped, therefore, the House would stand by these words.

Amendment negatived.

Amendment proposed to the Bill—

"In page 5, line 5, after the word 'where,' to insert the words 'compensation is claimed from or.'"—(*Mr. Younger.*)

Question, "That those words be there inserted," put, and agreed to.

MR. F. E. SMITH moved an Amendment to Clause 4 to leave out the proviso that where the contract relates to threshing, ploughing, or other agricultural work and the contractor uses machinery driven by mechanical power, the contractor alone shall be liable to pay compensation in the case of injury to a workman employed by him. He said that if an employer employed a contractor in work other than agricultural, whether or not mechanical power was used, it was provided that an injured workman should sue the principal who was liable; but in a subsequent clause there was the provision that the principal should be entitled to recover from the contractor. In the case of agricultural work, however, it was provided that the only person liable was the contractor who furnished the machinery driven by mechanical power. He would like to know what were the reasons which weighed with the Government for this divergence. He conjectured that the reason was that the Government assumed that in the majority of cases the more solvent man would be the man who supplied machinery driven by mechanical power. The words he proposed to leave out did not provide an alternative remedy, but they provided that the contractor alone should be liable. If it were right that there should be a double liability in the case of contractors in towns it was equally right that there should be a double liability in the case of contractors in the country. If the reason for the Government's proposal was that they apprehended greater solvency from the contractor, that course of reasoning was not consistent with the views they had taken in identical problems when dealing with the case of towns.

MR. H. H. MARKS (Kent, Thanet) seconded the Amendment, and said he had given notice of a similar Amendment. The provision under discussion constituted an anomaly. How would it work out in its present form? In the case of a farmer who let out a contract, and one of the men employed disabled himself by falling over a pitchfork in going to or coming from a threshing machine, under ordinary circumstances the farmer would be liable for compensation, but if a contractor happened to be on the land with a threshing machine the liability to compensate would be on the contractor. If, however, the contractor happened to be on the land without the threshing machine when an accident happened the liability would be on the farmer. The mere fact of the physical existence of the machine on the land seemed to be enough to transfer responsibility from the shoulders of the farmer to those of the contractor. This was not only an anomaly, but it was unfair.

Amendment proposed to the Bill.—

"In page 5, to leave out lines 11 to 15 inclusive."—(*Mr. F. E. Smith.*)

Question proposed, "That the words proposed to be left out, to the first word 'he,' in line 14 stand part of the Bill."

SIR W. ROBSON said the words were taken from the Agricultural Holdings Act of 1900. There must be many cases in which the contractor was more solvent than the principal. Such a case was possible in respect of the owner of agricultural machinery. It was impossible to deal with all cases; but here seemed to be a clear case where the contractor was generally a more important and solvent man than the principal, and where it was not desirable to give the workman the double remedy. He was therefore required to make his claim to his own employer, the owner of the machinery, instead of enabling him to go first to the farmer, leaving the farmer to get indemnity from the owner of the machine.

MR. J. WARD said when he was a very small lad he had some years experience on a farm, and during that time he naturally saw threshing machines. He might mention a particular case in which he thought this clause would greatly injure the position of the workmen. He remembered a farmer going bankrupt, and to get a living he hired a threshing machine from a well-known firm to take round the country to thresh for farmers whom he knew. For years this man took the machine round and threshed the corn for various farmers, and he also hired occasionally traction engines and ploughs, paying so much per week. He employed his own men, and after paying for the hire of the machine and the wages of the workmen attending the machine he probably did not make more than a few pence above the best of the workmen he employed. He could quite imagine that if such a person were the only man to whom a workman could appeal for compensation, it was very little compensation he would get under the circumstances. It often happened that a machine was brought on to a farm, and the men who undertook the operations were directly employed by the farmer. It was a rare thing for the owner of a machine either to employ labour or to do anything but let out the machine, and very often the man who took charge and paid a regular hiring was a man of straw. Would the Government make sure that injured workmen would not have to proceed against men of straw?

SIR W. ROBSON: The words are, "employed by him."

MR. AKERS-DOUGLAS said he was glad the Government were not going to give way on this point, because it was far better that the contractor—in this case the owner of the machine—should be the person to find the compensation. He was far more solvent than many of the small farmers who hired the machine, and was certainly in a position to know what there was to insure, whereas the small farmer would be in ignorance on this point. This proviso would only apply to those who were directly employed by the contractor and not to ordinary labourers on the farm. Speaking as an owner and farmer himself, he should certainly think it was wise to maintain this old remnant of the Agricultural Holdings Act, and he was certain if the Government valued the feeling of farmers they would be wise to stick to the clause as it stood.

*MR. DUNN (Cornwall, Camborne) asked the Solicitor-General if he was quite sure as to the meaning of the words "employed by him on such work," because it seemed that the last three words limited the first three. He could bear out everything that had been said by the hon. Member for Stoke, because he had had considerable experience of the working of these machines in a large county. A large number of them were not the property of the men using or lending them, but were the property of others, often a company, and therefore he asked whether it would not be possible to put after the word "uses" the words "his own," and conclude the sub-section at the words "employed by him."

LORD R. CECIL (Marylebone, E.) said he saw great objections to the general principle of this clause. If anything had been shown by the arguments used it was that these exceptions to the Act had not on the whole worked well for either the employers or the workmen, and it was desirable, as far as possible, that the Act should be simple, plain and clear. The theory of the clause was that if a workman were injured he should have a double remedy against the contractor and the principal, the reason being that under the old system it was found in a large number of cases that the real employer used to arrange that the workmen should be directly employed by contractors, who had not any means, so that the workmen were deprived of the benefits given them under the Act. That danger was particularly present in a case such as was dealt with in this proviso. It would be perfectly easy for the farmer, who wished to avoid liability under the Act, to arrange that all the men who had anything to do with machinery, or the work carried out by machines, should be technically employed by the contractor, so as to free him from liability under the Act. He was bound to support his hon. friend in his Motion. In a case where the contractor was a man of sufficient means to provide machinery of his own he would say that the remedy should be against the contractor. He could understand that, but he could not understand the reason why they should select the agricultural contractor, and him alone, for this exception. Unless some better reason was given by the Government for this exception he would be obliged to support the Amendment.

MR. COURTHOPE (Sussex, Rye) hoped the Government would not give way on this point. The hon. Gentlemen who had spoken during the last few minutes appeared not to be quite aware of what actually did take place in the majority of cases. These threshing machines and the men who worked them went round from farm to farm, and the men did not as a rule return to their own homes for the night, as they were generally too far away. The hon. Member for Thanet had suggested that an accident might happen to the men on their way to or from their work, and that liability would fall on the farmer, but who was to tell where the employment of one farmer finished and the employment of another farmer began? The men went from farm to farm and did their threshing, and when they had finished one job they went on to the next. There was another point which might interest the hon. Members for Stoke-on-Trent and the Camborne Division of Cornwall. In the case of farm hands employed by a farmer being injured by threshing machines whilst engaged in assisting the contractor's employees in their work, the liability for compensation did not fall upon the contractor but upon the farmer. It was a perfectly clearly understood arrangement and a simple one. The contractor brought a certain number of workmen with him. The man who understood the machinery was responsible for them and covered his liability by insurance. It was well understood that the contract price paid by the farmer covered the premium for that insurance. There was no reason whatever for the suggestion of the noble Lord that the farmer could wriggle out of his liability by making his farm hands technically the employees of the contractor. The contractor was no fool, he covered his own men by insurance, and he was not going to accept liability by becoming for the time being the employer of farm hands who in many cases were unused to the handling of machinery, and therefore more liable to get injured. He did not think any contractor would make himself liable in such a case. Another question had been raised about a man not owning the machinery, but that was not a material question at all. He had never heard of a single case of threshing machine contractors failing to insure their men. The liability was the contractor's, but he insured his men, and what difference did it make whether he owned or only hired the machinery? He paid the premium on the insurance, but the contract price covered and included that premium. He thought the Government would do well to retain the clause as it stood. He had never heard of a case of any confusion or of any hardship upon the contractor, his workmen, or the farm hands. Serious confusion would arise in many cases, and serious injury be inflicted upon farmers if the clause were deleted from the Bill.

MR. MARKHAM said that in his opinion both the Solicitor-General and the Home Secretary were quite wrong in their contention that a small contractor who took round a threshing machine was better off than the farmer. He had had some experience of threshing machines, for he unfortunately became some years ago the owner of half a dozen of them and he was no better off for it. The owner of a machine frequently let it out to workmen to take round. He believed that was the invariable practice all round the Midland district. The men who thus hired machines might be very poor men, and they would not make careful provision to insure the men they temporarily employed, and if an accident happened they would be unable to pay compensation. A farmer, on the other hand, could insure his men against accident. The rate of an insurance company would not be more than 10s. or 12s. per £100 of wages. If a farmer deliberately refused to pay a small sum per annum to insure his men he had only himself to thank if he had to pay compensation out of his own pocket. He did not think it would be a hardship on farmers to insure. The clause as drawn did not mean that any workman employed by a contractor on travelling work, whether a farm hand or anyone else, would, by the fact that he was so employed, be the contractor's man. An ordinary farmer had not sufficient hands to work the thresher and so the contractor gathered together men in the district.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) thought the omission of the words would cause a great deal of unmerited inconvenience. It seemed to him that in these questions of compensation what one had to consider was the maximum of security to the workman coupled with the minimum of inconvenience to the person who had to pay the compensation. He would draw the attention of the House to the case of the small farmer—and there were plenty of them in the moorlands and the remote districts of the country—who practically employed no labour except that of his own family, and therefore had no call to insure workmen under the Act. For the purposes of threshing he had to hire a machine, and had practically no possibility of insuring the men employed upon that machine for the two or three days it would be used. On the other hand, the man who owned the machine knew exactly how many men he would have to employ, and had every facility for insuring them in the easiest possible manner. If the words were left out a liability would be thrown upon the small farmer which in many cases it would be practically impossible for him to meet by insurance. In that case they would not only have the maximum inconvenience to the person who had to pay the compensation, but the minimum of security to the person who was to get it.

Mr. KEIR HARDIE suggested that the use of the word "owns" instead of "provides" would offer a way out of the difficulty.

Mr. CATHCART WASON (Orkney and Shetland) said the principal object of the Government was not to protect the farmer or the contractor, but to protect the men engaged on those machines. What happened in his part of the country was that a contractor went round with, very often, not more than two men, and the farmers joined and sent two or three men apiece to aid each other in the operation of threshing. Farmers insured their men, but only for the work on their own farms, and what he feared was that the men would not be protected except, by the proposal of the Government, if they went to work on another farm.

*Mr. GLADSTONE said this extremely interesting discussion carried him back to the discussions which took place in 1897. He pointed out that this particular proviso had been in operation since the Act of 1897 was passed, and that not a single Member had brought forward any case in which difficulty had arisen on account of the wording of the Act. In the proviso now under discussion they had practically adopted the same wording. The hon. Member for Merthyr Tydvil had suggested the use of the word "provides" instead of "owns." A man who hired a threshing machine was as responsible for it as if he owned it. It was quite clear that they should retain the principle that a farmer should be liable for the men on his farm, and that the threshing machine man should be liable for the men working the machine. He thought they must adhere to that principle.

Mr. F. E. SMITH said that as the general sense of the House was opposed to his Amendment, he begged leave to withdraw it.

Amendment, by leave, withdrawn.

*Mr. GLADSTONE said that the next Amendment standing in his name was to make it clear that no person who was a servant of the employer should be liable to pay compensation to the workman. This sub-section was meant to meet the case of the small employer, but the hon. Member for Ince with a sharp eye had detected a danger from the omission of the words which he proposed to introduce by his Amendment. A man who was a servant of a miner employer engaged another man to act as a butty man, and the question arose whether he would not be a contractor within the meaning of the law, and therefore liable to indemnify the butty man if he were injured. It was to make the matter perfectly clear that he introduced the words of his Amendment.

Amendment proposed to the Bill—

"In page 5, line 17, to leave out from 'by,' to the third 'and,' in line 23, and insert 'any person who would have been liable to pay compensation to the workman independently of this section.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. JOHN O'CONNOR said that the Amendment which he wished to propose, taken in conjunction with another Amendment to Clause 13, was meant to deal with cases of very great hardship which had recently grown up under the last Workmen's Compensation Act. His real object was to reconcile conflicting legal decisions and to avoid in the future the confusion which had arisen from these conflicting judgments. In the first class of cases, a man was employed to do a particular amount of work. He went to do the work, supplying his own labour and his own tools. In the course of the operations he was injured, and the Court held that he was not a workman, but a contractor. The other class of cases was where a man was employed, not to do a specific amount of work, but to do a certain kind of work, providing his own labour and his own tools. The Court there found the man not to be a contractor, but a workman. Under the Employer's Liability Act Lord Chief Justice Coleridge held that although a man was paid in the lump, and found his own labour and tools, he was not a contractor, but a workman; but a case had been quite recently decided where an opposite judgment was given. His Amendment would make the law clear, and reconcile these conflicting judgments. He hoped the officials on the Government Bench would see that there was good reason for removing the uncertainty which prevailed in deciding these cases.

Amendment proposed to the Bill—

"In page 5, line 25, at the end, to insert the words 'Provided that where the workman was immediately employed by a contractor for labour as hereinafter defined, nothing in this section shall be construed as entitling the principal or any intermediate contractor to be indemnified by such contractor for labour.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON thought that if his hon. and learned friend were to succeed in getting this clause inserted he would reduce the legal profession generally to something like the state of embarrassment which he should think that many hon. Members were in at that moment as to the precise scope of the clause. His hon. and learned friend wished to exclude from the indemnity what he called a "contractor for labour." He did not wish to introduce a new phrase into this Bill, and "contractor for labour" was not only a phrase unknown to the law, but it was not an expression familiar in commerce or known in trade, and he saw great difficulty in attaching to it any definite meaning. But he apprehended that what his hon. and learned friend meant was that the workman who took, under a contract, some considerable portion of work to do, and who employed workmen, little removed in industrial *status* from himself, on the premises of some principal, should not be liable. If, however, his hon. and learned friend's point was not met by the existing law and the decided cases it was amply met by this Bill. He would take the familiar case mentioned to-night of the butty man in mines. Butty men were men who were employed to do work in the mine, and they employed labour to do that work. They were paid in proportion to the work done, and they divided the money among the men. It had been contended that the true employer was the butty man, and the case was tried, and in the course of it the Court asked whether the principal employer really exercised any control over the butty and if he was in a position under the Coal Mines Regulation Act or other Acts to give any kind of direction to, or place any restrictions on the butty. If he had that power they said that he and not the butty was liable. Otherwise a man might sub-let the whole of his work and not be liable for compensation for injury to workmen. That of course would not have done, and the Court said that if a principal employer had any kind of control he was the man to be proceeded against. His hon. and learned friend had mentioned another case—a very strong case, so strong that it might lead to some doubt. In that case a builder sub-let the whole of the brickwork of a building to a sub-contractor employing his own men—quite an independent man working sometimes on this job and sometimes on another. He employed his own men, fixed the rate of wages, and paid them what he pleased, but when it appeared that the principal builder had a right to give orders to the contractor's workmen it was held at once that he was the person against whom an injured workman should proceed; so that the "contractor for labour," was amply provided for under the decided cases and the workmen did not look to him but to the contractor. But if the "contractor for labour" was really the employer, then he thought he should be made liable, because if they were to allow no remedy against the employee's own principal it would only lead to evasion of the Act. The Government thought it desirable that each man should sue his own employer, because it enforced insurance on the part of the employer. He thought his hon. and learned friend's Amendment, although carefully conceived and considered, was not necessary, would introduce an element of doubt, and even interfere with the best prospects of the Bill. He hoped therefore he would not press it.

Question put, and negatived.

MR. BARNES (Glasgow, Blackfriars) moved an Amendment which provided that the fourth sub-section should read—

> "This section shall not apply in any case where the accident occurred elsewhere than on, or in, or about premises under the control or management of the principal."

The words to be omitted provided that the section should not apply to any contract with any person for the execution by or under the contractor of any work which was merely ancillary or incidental to and was no part of, or process in, the trade or business carried on by the principal. He moved the Amendment because he thought that if it were carried the clause as a whole would then be left in such a way as more effectually to carry out the underlying principle of the section. The purpose, as he understood it, was to secure that the person, who was called a principal, who undertook to do any work should be liable for an accident in the doing of that work, notwithstanding that he might let parts or the whole of it to a contractor or sub-contractor, the idea being that the principal was a man of substance whereas the sub-contractor might be a man of no means, and unable to pay compensation for an accident if it happened. In the original Bill there was no such section, but one was introduced at the instance of the present Secretary of State for War, and at that time it had two provisions which the Bill now under discussion also had. That was to say, it limited the liability to accidents which were within the scope of the business of the principal or in and about the place of business of that principal. On the Bill going to another place the words were said to be unintelligible, and for various reasons they were whittled down until they contained only one proviso. When the Bill came back to this House the Secretary of State for War said that the words inserted "merely ancillary to" and so on were conflicting, and he did not understand what they meant. As a matter of fact those words had been the cause of more litigation and more expense arising out of the legal jugglery of those who had to interpret them than anything in the Act. For instance, it had been held that a station was not part of a railway. that an engine in the engine house of a cotton factory was no part of the business or trade of a cotton manufacturer. Then it was suggested that an iron roof was not part of a building, but that was thought to be a little bit too much, and it was held that although the iron roof was not any part of the man's business, yet it was part of the building trade as a whole and he had to pay. These words had been found very confusing, had led to a great deal of costly litigation, and were now unnecessary as the Government had introduced a new proviso and safeguard. What he wanted to know from the Solicitor-General or the Home Secretary was, why this double-edged provision, which seemed to him to be altogether in the interests of the principal employers, was introduced. A man could certainly claim against his employer, but no provision had been made that the employer should have the means by which he could pay the claim made upon him. There was no provision for compulsory insurance and until there was this section would be of no use. He desired to see this section made as effective as possible, so that the workmen could reach the man who had the money to pay. It was a very slight benefit to give to a man a right to claim against a small employer when that employer had not the means to pay. He was quite convinced that if his Amendment were accepted the provision would be quite sufficient. It was said that unless there was some safeguard in the interest of the employer he might be proceeded against unnecessarily and unjustly, but he would point out that in this particular instance they would still retain the words "in or about" in which case the employer would be quite safe. He begged to move.

Mr. DUNCAN formally seconded the Amendment.

Amendment proposed to the Bill—

"In page 5, line 29, to leave out from the word 'apply,' to 'in,' in line 33."—(*Mr. Barnes.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir W. ROBSON said that though there was something to be said in favour of the words which the hon. Member by his Amendment rejected, the Government had come to the conclusion that all that was useful in the clause was covered by the principle which confined the matter to the words "undertaken by the principal" and therefore they were prepared to accept this Amendment.

*Mr. COCHRANE said the Amendment might make some difference to the interpretation of the words "undertaken by the principal." This was a matter which it would be advantageous to clear up. Would it not interfere with the case of a contractor who had undertaken to build a house for someone else?

Sir W. ROBSON said the omission of the words in a case of that sort would make no difference. The man who contemplated building a house, and who had handed the work over to a contractor, could not possibly be said to be the employer. The clause applied only to work undertaken by a principal, and sub-let to a contractor.

Amendment agreed to.

Amendments proposed to the Bill—

"In page 5, line 34, to leave out the words "under the,' and to insert the words "on which the principal has undertaken to execute the work or which are otherwise under his.'"

"In page 5, line 35, to leave out the words 'of the principal.'"—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. JOHN O'CONNOR said it seemed to him that the workman should, to the extent of the liability of the insurers to the employer, have as against the insurers all the rights which were given to him by this Act as against the employer. In the case of the bankruptcy of the employer the insurer should become directly liable to the workmen. If the hon. and learned Gentleman the Solicitor-General had read this Amendment carefully, he would see that it was only an equitable provision to give full effect to the measures which the hon. and learned Gentleman had already proposed. He begged to move.

*Mr. GLOVER formally seconded the Amendment.

Amendment proposed—

"In page 6, line 6, at the end, to insert the words "In any such case the workman shall, to the extent of the liability of the insurers to the employer, have as against the insurers all the rights conferred by this Act on the workman as against the employer, and the insurers shall to the same extent have all the rights conferred by this Act on the employer as against the workman or contractors with the employer or any other person. Provided that, for the purposes of Section two of this Act, notice of the accident given to or a claim for compensation made upon the employer shall operate as notice to or a claim upon the insurers.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

Sir W. ROBSON said the object of this clause appeared to be to give a preferential right to workmen if their employers became bankrupt. He would point out as against that, that in the case of bankruptcy the workman would prove his claim in the ordinary way, and thus have all the rights which his employer had against his insurer. Having proved his claim he could make sure of the fund out of which his employer had arranged that the claim should be met. The hon. Member had suggested that instead of that the workman should go to the insurance company. What would that mean? It would mean, first of all, the workman would have to commence proceedings against his employer; that upon the employer becoming bankrupt the whole matter would be transferred to the insurance company and fresh proceedings would have to be commenced; and then there might not be sufficient to pay him, and he would again have to come upon his employer. Such a clause would introduce considerable complexity into the Bill. To compel the workman to bring his action against the London company would involve a good deal of inconvenience and expensive litigation.

MR. JOHN O'CONNOR said he understood that his hon. friends, having considered his Amendment side by side with an Amendment which was to be proposed by the Home Secretary they had decided in favour of the latter. He had no desire to set his view, however well instructed, against theirs, and he would ask leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

*MR. GLADSTONE moved an additional section to Clause 5 providing that there should be included among the debts which are, in the distribution of the property of a bankrupt, or of the assets of a company being wound up, to be paid in priority to all other debts the amount, not exceeding £100, due in respect of any compensation which was accrued before the date of the receiving order or of the winding up.

Amendment proposed to the Bill—

"In page 6, line 9, at the end, to insert the words '(3) There shall be included among the debts which under Section 1 of The Preferential Payments in Bankruptcy Act, 1888, and Section 4 of The Preferential Payments in Bankruptcy (Ireland) Act, 1889, are in the distribution of the property of a bankrupt and in the distribution of the assets of a company being wound up to be paid in priority to all other debts, the amount not exceeding one hundred pounds, due in respect of any compensation the liability wherefor accrued before the date of the receiving order or the date of the commencement of the winding up, or in the case of a weekly payment the capitalised value thereof, such value in case of difference being determined by arbitration under this Act, and regard being had to the probable duration of the incapacity, and the Preferential Payments in Bankruptcy Amendment Act, 1897 shall have effect accordingly. (4) In the case of the winding up of a company within the meaning of The Stannaries Act, 1887, such an amount as aforesaid, if the compensation is payable to a miner or the dependants of a miner, shall have the like priority as is conferred on wages of miners by Section 9 of that Act, and that section shall have effect accordingly. (5) The provisions of this section with respect to preferences and priorities shall not apply where the bankrupt, or the company being wound up, has entered into such a contract with insurers as aforesaid.'"—(*Mr. Gladstone.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

MR. CLEMENT EDWARDS (Denbigh District) moved to insert after the words just added words to meet the case where an employer became bankrupt before an award had been given. Under those circumstances legal proceedings in contemplation could not be brought on without a special order of the Court of Bankruptcy. To obtain that order it might cost the workman anything from £20 to £30, and he knew several cases where the County Court Judge had declined to allow the costs incurred in obtaining the order in the Bankruptcy Court. His point was that Section 9 of the Bankruptcy Act of 1883 should not prevent proceedings going on without the order to which he had referred. He begged to move.

MR. ELLIS DAVIES (Carnarvonshire, Eifion) formally seconded.

Amendment proposed to the Bill—

"After the words last inserted, at the end, to insert the words 'Where an employer becomes bankrupt before an award has been given, whether the accident has arisen before or after bankruptcy, then, notwithstanding anything contained in Section 9 of The Bankruptcy Act, 1883, proceedings may be begun, continued, or concluded under this Act as though such bankruptcy had not taken place, provided that the trustee in bankruptcy, if any, at the time of such proceedings shall be added as a respondent.'"—(*Mr. Clement Edwards.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said it was true that nobody could proceed against a bankrupt without an order from the Bankruptcy Court, because the property of a bankrupt was taken to be in the custody of the Court. To allow anyone to issue an execution under those circumstances would be a very serious step, and would entirely derange the whole proceedings.

Question put, and negatived.

*Mr. CLAVELL SALTER moved an Amendment to provide that a workman injured in circumstances which gave him a cause of action against some third person should not have the right to proceed simultaneously against both the stranger and his employer, but should decide against which of the two he would proceed in the first instance. The section as it stood would enable a workman to start concurrently two legal proceedings. That would be an abuse. He thought the Government would be willing to put in words to prevent this, and to provide that a workman should have both these methods in full, but that they must not be taken concurrently. It certainly was not desirable that workmen should be allowed to do things which ordinary people could not do, and he hoped the Government would offer no objection to his proposal.

Mr. HILLS (Durham) formally seconded

Amendment proposed to the Bill—

"In page 6, line 20, after the word 'but,' to insert the words 'such proceedings shall not be taken concurrently and the workman.'"—(*Mr. Clavell Salter.*)

Question proposed, "That those words be there inserted in the Bill."

* Mr. GLADSTONE said he saw no reason why a workman should not have this concurrent right. Proceedings against an employer had to be taken within six months, and within that period it was practically impossible for an action for negligence to be determined. Therefore, if the Amendment were accepted it would have the effect of making the workman always proceed against the employer.

Question put, and negatived.

Sir W. Robson.

Mr. JOHN O'CONNOR moved an Amendment to provide that all questions as to the right to and amount of the indemnity under sub-section (2) should, in default of agreement, be settled "by action or by consent of the parties" by arbitration under this Act.

Amendment proposed to the Bill—

"In page 6, line 30, after the word 'settled,' to insert the words 'by action or by consent of the parties.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

* Mr. GLADSTONE said the Government were willing to accept the Amendment.

Question put, and agreed to.

Sir ROBERT ROPNER moved to omit Clause 7 (application of Act to seamen). He said a clause of this kind should have been provided in the Merchant Shipping Bill, and not in the measure under discussion. He had always been, and was, in favour of compensation to seamen who were injured, but this clause put shipowners on a different footing from, and at a disadvantage with, employers on land. There were many accidents on board ship for which the owners were not in any way responsible. They were inseparable from the perils of the sea, and yet, as the clause now stood, shipowners would have to pay compensation for injury or loss of life arising from such accidents. It was manifestly unfair that that should be so. He thought, too, an exception should be made in the case of injury or loss of life resulting from services rendered to ships in distress. Compensation in such cases should fall, not on the shipowner, who had risked his property in the endeavour to save the lives in peril on the distressed vessel, but on the State. The Merchant Shipping Act was more advantageous to seamen than this Bill, because it provided that in cases of illness or injury on a voyage the seaman was to have his full wages and maintenance together with medical advice. He was afraid that by applying this Act to seamen there would be a good deal of confusion between the two Acts.

There was a vast difference between accidents on shore and on board ship. When a man was injured on shore everybody knew about the accident and how it happened, and the employer had every means at his disposal to ascertain whether it had been brought about by the wilful misconduct of the man himself. When an accident happened at sea the employer had none of these means at his disposal to ascertain the facts, and this was a difficulty that could not be overcome. With regard to ships in distress, to which he had already alluded, there were many cases arising. A case might occur in the Atlantic Ocean through the engines of a steamer breaking down, and the vessel might be entirely at the risk of the sea overwhelming her and sending her to the bottom. Under this Bill if another ship went to her rescue the captain would have to consider whether it would be wise for him to undergo the risk and endanger the property of the owner of his vessel, more especially when he would be liable to pay compensation for accidents. He might seriously consider whether it would not be wise under the circumstances that he should go and leave the vessel in distress. He did not, of course, believe that there was a captain in existence who would run away when he saw a vessel in distress. But if the captain went to the assistance of a distressed ship he risked his vessel. That was a risk they must run, but the sailors on board might be killed or injured, and it was unfair to a shipowner that he should be called upon to pay compensation in respect of them. In such cases, the Government should step in and say to the shipowner, " You have done enough. You have risked your own property; the nation will provide compensation in cases of death or injury to your crew." There was another matter which he would urge, and it was that sufficient allowance was not made in the shipowner's favour for the burden he already bore under the Merchant Shipping Act and otherwise. He thought he had said sufficient to show that his Amendment was not moved merely to thrown an obstacle in the way of passing the Bill. He had always been in favour of compensation to sailors, but for himself and his fellow shipowners he naturally objected that they ought not to be put in a different position from that of employers on shore. He appealed to the Government to leave out the clause altogether. There was still time to include it in the Merchant Shipping Bill which was before Parliament, and he hoped that even at the eleventh hour the Home Secretary would seriously consider the matter, and see whether it would not be better for the trade generally to include it in the Merchant Shipping Act.

Amendment proposed—

" To leave out Clause 7."—(*Sir Robert Ropner.*)

Question proposed, "That the words proposed to be left out, to the word 'seamen,' in line 31, stand part of the Bill."

*MR. GLADSTONE said the hon. Member led them to believe at the opening of his remarks that his only objection was that the Government had dealt with this subject in the Workmen's Compensation Bill, and not in the Merchant Shipping Bill. But why, if that was his position, did he not move an Amendment to the Merchant Shipping Bill in the Grand Committee transferring this provision bodily to that Bill?

SIR ROBERT ROPNER said this was not the first time he had mentioned the matter, and if he did not move in the Grand Committee it was because he found that the Committee was entirely under the direction of the Labour Party, and that it was useless for him to move any Amendments whatever.

MR. DEPUTY-CHAIRMAN: The hon. Member is exceeding the limit of an explanation.

*MR. GLADSTONE said he was obliged to the hon. Member for the explanation. He did not think it was true that the Committee had been so much under the ruthless and tyrannical domination of the hon. Member for Merthyr Tydvil that the hon. Member was unable to move an Amendment. But if it were true, why, when the Bill got to the freer and healthier atmosphere of the House itself, did the hon. Member not move? The truth was, it was only a question of method, and the Government thought it was much better that the seamen should be dealt with under this Bill. But the hon. Member went on to argue not only for a difference of method but for a difference of treatment for the seaman, on the ground that his case was different from that of the workman on shore, and that the shipowner was entitled to much greater consideration than the employer on shore. He agreed that the Departmental Committee recommended that the seamen should be treated under the merchant shipping law, but the particular method adopted in the Bill never occurred to the Committee. Sir Benjamin Brown, who was on the deputation which he met in the course of the summer, spoke about the seamen. He asked Sir Benjamin particularly whether in his opinion seamen should be treated precisely as workmen on shore. It was quite clear that the Departmental Committee quoted by the hon. Member was not at all with him in what he said in the latter part of his speech. Let him state why the Government had chosen to deal with seamen under the Workmen's Compensation Bill rather than under the Merchant Shipping Bill. Under the Merchant Shipping Act the sailor had certain benefits in the event of injury, and the shipowner was liable for his maintenance and care while he was on board and until he arrived home. When, however, an injured sailor landed, under the present law the shipowner had no further liability for him whatever. The sailor might be a cripple for life; he might have lost a leg, or both his eyes; whatever his condition might be, under the present law when the sailor was landed in the United Kingdom the employer had no further liability for him. The sailor, therefore, might have to go on the rates, to which shipowners did not contribute. This Bill proposed that its operation should come in with the seaman landing in this country. It drew a clear distinction between the seaman's claims under the Merchant Shipping Act on the one side, and the workmen's compensation law on the other, so that there was no conflict between them. The Merchant Shipping Act applied so long as the man was at sea and before he came to this country. When he came back to this country the Government said that the shipowner was not to be free from his responsibility to look after the man who was injured in his service. When the seaman came to this country the shipowner was to be liable for the man injured as in the cases of the mineowner or the factory owner. It seemed to him that that was a clear distinction which had never occurred to the Committee. He protested against the theory being put forward that the shipowner was in a wholly different position from the mineowner. If a ship were struck by lightning the shipowner claimed that that was an "Act of God," and that he ought to be relieved of liability. Providence did not think of the shipowner who did not put up a lightning rod on his ship. The treatment the Government proposed to give was the right treatment, and he hoped the House would reject the Amendment.

MR. F. E. SMITH said he was quite sure that whatever view the House might take of the Amendment, the motive which induced his hon. friend to move it was entirely disinterested. He did not think the Bill would impose a burden on shipowners which was not imposed on other classes of the community. Taking the burdens on shipowners cumulatively, there might be some grievance; but what weighed with him was the obvious convenience of dealing with sailors in the same way as other men who engaged in work at the risk of their lives, especially in mines. In the Workman's Compensation Act introduced by the right hon. Member for West Birmingham the Legislature committed itself to an entirely novel principle, viz., that a man who was engaged for the profit of his employer and received injury, entirely irrespective of negligence, was entitled to compensation. He apprehended that no one would suggest that the considerations which induced the legislature to adopt that novel principle did not apply to sailors with even greater force than to other classes of workmen engaged in risky employment. If that were so, it would be highly inconvenient from every point of view, and unreasonable that they should have one statute defining the remedies of a person injured in land employment, and a totally different statute determining the liabilty of employers for injury to seamen at sea. His hon. friend had pointed out that the legislature should not discourage shipowners and the servants of shipowners from engaging in an arduous task in order to render assistance to ships in distress. But, shipowners as well as their employees, had very substantial inducements in rendering salvage services. His hon. friend said it was very difficult for a shipowner to collect evidence months afterwards, but every responsible person on board ship was an agent for a ship whose interest it would be to support the case of the shipowner, and to supply the shipowner with evidence. All these considerations made it impossible at this period of the day to differentiate between the position of sailors and that of other industrial classes in the community, and therefore he hoped that his hon. friend would see that the sense of the House was against his proposal, and withdraw his Amendment.

*MR. COCHRANE said he was quite sure that his hon. friend in moving his Amendment did not mean to do anything against seamen or to deprive them of the compensation to which they were as much entitled as any other class in the community. But he thought there were peculiar circumstances connected with the case of seamen which justified the discussion. The proportion of accidents to seamen was sixty-four per 10,000, as compared with seven per 10,000 men engaged in other callings. Many of the accidents were attributable to "Act of God;" and difficult questions would arise as to the liability for compensation in such cases, and also in cases of loss of life where men volunteered for life-saving service or in cases of collision with foreign ships. There might well be a national contribution to the Compensation Fund in the case of men who went out to save life at sea, but the subject was one more within the scope of the Board of Trade than of the Home Office. The late Government did not include seamen in their Bill, not because they thought seamen ought not to be protected, but because they thought that class would be better looked after by the Board of Trade under the merchant shipping law. That policy was imposed upon them by the stringent findings of the Departmental Committee, presided over by Sir Kenelm Digby, a very strong man. That Committee devoted a large portion of their Report, some five or six pages, to considering this particular question. Sir Kenelm Digby looked at the matter both as the head of a Department, and as the chairman of that Committee, and from both those points of view he came to the conclusion that the Home Office was not the proper Department to deal with the question, they having no experience of seamen and no special knowledge to deal with this Bill after it had passed. The right hon. Gentleman thought that a Bill required no trouble to be spent upon it after it had passed, but after he had been a little longer in office, he would understand that the working of every Bill promoted by a Department required constant watching, constant diligence, and possibly an addition to the staff of that Department. There was one other point which differentiated the owner of a ship from an ordinary employer, and that was that if a collision took place between a British ship and a foreign ship, and both were sunk, there was no claim for compensation on the owners of the vessel, although the foreign ship might have been in the wrong, whereas there was a claim in like circumstances for compensation in the case of the British ship, namely, that the owner of the British ship had to pay compensation to his workmen, but hadno claim upon the owners of the ship that had caused the damage. He did not wish to quote at length the Report of the Departmental Committee, because he had no desire to delay the Bill. But he did say that the Board of Trade would have been the better authority to deal with this question, and that the Merchant Shipping Act was the right one in which this power should be included. The mistake was to have two sets of Acts dealing with workmen's compensation, because now when a man received injury, he was entitled to be sent home, and whilst on board ship he was cared for under the provisions of the Merchant Shipping Act, administered by the Board of Trade, the moment he set foot on shore he would come under the provisions of the Workmen's Compensation Act, to be administered by the Home Office. He had every wish that the seamen should receive compensation, and the only bone he had to pick with the right hon. Gentleman was that he had taken the control of this matter into his own hands instead of placing it with the Board of Trade. Perhaps, however, as his hon. friend who moved the rejection of the clause might think he had attained his purpose by the discussion, he would not trouble the House to go to a division.

Amendment, by leave, withdrawn.

*Mr. F. E. SMITH moved an Amendment including the masters of ships among those who would be entitled to receive compensation. He said the Amendment raised a question of considerable practical importance. If he was right in his reading of the definition of the word "workman" in Clause 13, it would not apply to those masters of ships who occupied the highest positions in the merchant service, because under that section no man was reckoned a workman if his annual income exceeded £250 a year, and his Amendment was directed to including only those masters whose income did not amount to that sum. The House had committed itself to the view that men who earned their livelihood on the sea should be included in the Bill, and he did not see why they should exclude the masters—not of Atlantic liners, but of small vessels who would be in practically the same position as others who would receive the benefit of the Bill. The men on whose behalf he was asking for compensation earned only £3 or £4 a week, and sometimes less. They risked their lives every day in the course of their profession in exactly the same way as the seaman to whom the Act would apply. He should like to hear any single argument which could be urged why the master of a small vessel, living in a small house, whose social position was not distinguishable from that of the clerks whom the Government had decided to include in the Bill, should not receive the benefits of the measure. Why should he not receive the compensation which other people in a similar position of life would receive from their employers? These men did not enjoy any particularly good opportunity for saving money in their lifetime or of making provision for their widows and children when they died. Such men had a greater position to keep up than the working man, and a great portion of their income went in keeping up the externals essential to the earning of their livelihood. He thought that everyone would agree with him that these men had no margin at all on their sea wages for leaving provision behind them in the interests of their wives and children. He had materials to prove that that was so. If workmen's compensation was right, on what principle were the Government going to say that these men should have no chance of having their widows and children provided for, if they met with an accident? In saying that they earned three or four pounds a week he thought he had grossly exaggerated their earnings, because he could give cases of hundreds of vessels where the master's earnings did not exceed two pounds a week. If a clerk receiving £200 a year, who was not exposed to one tithe of the risks of a master, was to come under the Act, on what principle was the Government going to say that a man whose life was one long risk, and who was only receiving, say, £150 a year, was not to be entitled to the compensation which was given to working men, clerks, and sailors? This was not a party question in any sense of the word, and he knew that there were hon. Members on the other side of the House who also felt that there was no logical justification for this exclusion. He believed the Bill was a good Bill and one in respect to which the Government was entitled to the gratitude of the House. They had listened sympathetically to the arguments addressed to them in Committee and had accepted Amendments to the Bill, and he now threw himself with the greatest confidence upon the sympathy of the hon. and learned Gentleman and asked whether he could not extend this Bill to this very deserving class—a class which had few friends and whose members lived laborious and anxious lives. He begged to move.

MR. WILLIAM REDMOND (Clare, E.) seconded the Amendment, because in his view the hon. and learned Member for the Walton division of Liverpool had adduced an unanswerable argument in favour of what he claimed. It was not possible that this Amendment could be refused, and that the hon. and learned Gentleman should decline to make it clear that the class of seamen referred to in the Amendment would be brought within the operation of the Bill. Anyone who knew anything about the small craft on the sea knew that there was very little difference between the captain and the ordinary seamen. The captain had to undergo the same hardships and was subject to the same risk of injury as the seaman. He therefore hoped the Solicitor-General would consent to consider the masters and officers of these small ships as workmen within the meaning of the Act. A good case had been made out by the mover of the Amendment, and he heartily joined with the hon. Member in his appeal to the Government. He hoped that in this case they would draw no distinction between those who "go down to the sea in ships."

Amendment proposed to the Bill—

"In page 4, line 2, after the word '1894' to insert the words 'except that the word 'seaman' shall include the master of any ship.'"—(*Mr. F. E. Smith.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said he should have preferred the debate to have continued for some little time longer before he replied, because the Government were anxious to have a definite expression of opinion from the whole House. The masters of vessels were not originally included in the clause, because it was felt that a serious burden would be laid on the ship owners. There was no desire on the part of the Government to exclude ship masters from the benefits of the Act. Nor did they conceal from themselves the fact that there were a great many masters of small ships who undoubtedly came within the general description of workmen, although they occupied in relation to their crews a somewhat exceptional position. The masters of the great liners were already excluded by the limit of £250. He himself doubted whether the Bill as drafted did exclude masters, because the definition of workmen in Clause 13 did not do so. The question, however, was whether the House was of opinion that masters might be included in this Bill with other seamen. After listening to the debate, he thought the Government would not be far wrong in assuming that the House was in favour of the Amendment, and, that being so, they would gladly accept it.

SIR ROBERT ROPNER said that masters of small coasting vessels ought to be included in the Bill, but he thought the Government, instead of adopting the Amendment offhand, should give themselves time for the consideration of the whole matter. There was a great difference in the case of captains and seamen, because the former had many opportunities of making money which did not appear on the surface. A few years ago some vessels were employed carrying the mails between Shanghai and Vladivostok, and he discovered that the captains on these vessels had not been making the usual allowances to their wives. Upon inquiry he found that the captain of one of the ships had been able to save all his wages whilst in board, and he had provided for his family with money earned in other ways. It turned out that the Russian officers at Vladivostok liked champagne, and the captains of these vessels bought champagne at Shanghai and sold it at Vladivostok to the Russian officers, making an immense profit on it. Some of his own captains had retired at the age of fifty-five years, having accumulated small fortunes which they could not possibly have done out of their wages alone. He thought the Government ought really to give this matter more consideration, and not deal with it offhand in this way.

MR. ASHLEY pointed out that sub-section (a) of Clause 7 provided that notice of an accident and a claim for compensation must be served on the master of ships as if he were the employer. In that case if this Amendment were accepted and an accident happened to the master he would have to serve a notice upon himself. He thought some other provision was necessary to meet this difficulty.

MR. W. R. REA (Scarborough) welcomed the inclusion of masters within the scope of this Bill. In many cases although they were called masters they were really working seamen. In a good many instances they were captains of tugs who had been promoted from the labourers and ordinary sailors, and it was a great hardship that in consequence of promotion they should lose the compensation to which they would otherwise be entitled for injury. Every self-respecting shipowner would agree that a man who received injury during his employment on board ship should not be allowed to suffer in consequence. It was in the interests of the shipowners that they should know their full liability so that they might insure every member of the crew. The cases referred to by the hon. Member for Stockton would be excluded by the £250 limit.

MR. BECKETT (Yorkshire, N.R., Whitby) said he did not hold any brief for the captains who earned more money than they were paid as wages, but he rose to put in a word on behalf of the masters of some of those very small fishing trawlers who received rather small salaries. On their behalf he urged the Government to accept the Amendment.

MR. GODFREY BARING (Isle of Wight) said he had listened with great satisfaction to what had been said upon this question. There were a large number of masters of small ships who were in receipt of very low salaries, and he was sure they would greatly appreciate the fact that the Government were willing to accept this Amendment.

Question put, and agreed to.

SIR ROBERT ROPNER moved an Amendment to exclude apprentices from the operation of the Bill. He said that there was now a great dearth of English sailors, and to his mind the only way of supplying the want was to induce owners to carry apprentices. He was afraid, however, that if shipowners were made liable to pay compensation to these apprentices in case of accident, they would not be so ready to carry them. He, therefore, thought that from that point of view it would be imprudent to put this liability on the shipowners. It would be sufficient to leave apprentices under the Merchant Shipping Act. He moved this Amendment entirely in the interests of supplying the mercantile navy with more English sailors.

LORD R. CECIL formally seconded.

Amendment proposed to the Bill—

"In page 6, line 31, to leave out the words and apprentices.'"—(*Sir Robert Ropner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR W. ROBSON said the Government could not accept this Amendment. The hon. Member had stated that apprentices had no dependents, and would have nobody to leave their money to. In that case the shipowners would not be called upon to bear any burden.

MR. WILLIAM REDMOND protested against the Amendment as altogether unreasonable, seeing that apprentices worked as hard as seamen, and in addition usually paid a premium to the shipowner. He had had experience himself for two years on board ship as an apprentice. He did not know how the hon. Member for Stockton treated his apprentices, but he knew that parents were first of all called upon to pay considerable premiums to shipowners.

SIR ROBERT ROPNER said that was very unusual.

MR. WILLIAM REDMOND said he could assure the hon. Member that that used to be the practice. Apprentices were frequently bound to work for a certain number of years without any remuneration at all, although in some cases an arrangement was made by which the apprentice received back again over a period of years the amount which had been paid as a premium. Hon. Members would remember the wreck of the "Primrose Hill," when seven apprentice boys were amongst those who were drowned. Some of the parents of those boys wrote stating that they had paid premiums for their boys on that ship, and asking if it was possible for them to recover compensation. It turned out that the ship was considerably undermanned. He was was sure the House would agree that such cases as those ought to come under this Bill. He hoped the hon. Member would see the inadvisability of his Amendment, and as a generous-hearted shipowner who never took premiums for apprentices, he trusted he would see his way to withdraw this Amendment.

SIR ROBERT ROPNER said the hon. Member for East Clare, when he said that premiums were paid for apprentices, must have been alluding to sailing ships. That was formerly the practice, but he could assure the House that no such practice existed in connection with the steamers with which he was connected. Under the circumstances, he asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

*MR. ASHLEY moved an Amendment to provide that the benefits of the Act should be extended to foreign seamen only in special cases. The object of the Amendment was to restrict the operation of the Act in regard to foreign seamen, that was to say that the benefits should only be granted to foreign seamen in certain restricted cases. He asked hon. Members to clear their minds of their "settled convictions" on the fiscal question in considering this Amendment. The Amendment did not propose anything against the principles of Free Trade. He had not the slightest objection to the extra burden being placed on shipowners with respect to British seamen, but he did not see why that burden should be put upon them for the benefit of foreign seamen. It might be answered that there was no nation which treated English seamen worse than their own. He would point out that in 1898 France passed an Act which gave compensation to seamen, but it stated explicitly that the benefits of the Act were to be confined entirely to French sailors. That French Act had been in operation for eight years and there was absolutely no sign of any change being necessary through an increase of foreign sailors on French ships, although British sailors on French ships were at a disadvantage under it.

Amendment proposed to the Bill—

"In page 6, line 32, at the end, to insert the words 'British subjects or subjects of such states as His Majesty may, by Order in Council, from time to time provide, and are.'"—(*Mr. Ashley.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said that the answer to the Amendment need only be a very short one. To exclude sailors who were foreigners on board British ships from the operation of this Act would be to put a premium upon the employment of foreigners.

Question put, and negatived.

Amendments proposed—

"In page 6, line 34, after the word 'Kingdom,' to insert the words 'or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner or manager resides or has his principal place of business in the United Kingdom.'"

"In page 7, line 12, after the word 'and,' to insert the words 'such depositions or certified copies thereof.'"

"In page 7, line 14, to leave out the word 'section,' and to insert the word 'sections.'"

"In page 7, line 15, after the words 'ninety-one,' to insert the words 'and six hundred and ninety-five.'"

"In page 7, to leave out lines 16 and 17, and to insert the words 'those sections shall apply accordingly.'"

"In page 7, line 23, to leave out from 'shall,' to the end of line 25, and to insert the words 'not be payable in respect of the period during which the owner of the ship is, under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expenses of maintenance of the injured seaman or apprentice.'"—(*Sir W. Robson.*)

Amendments agreed to.

SIR GEORGE DOUGHTY (Great Grimsby) moved to omit sub-section (i), which seemed to him to be the most remarkable sub-section in the whole Bill. It ran—

"This Act shall not apply to such members of the crew of a fishing vessel as are remunerated by shares in the profit, or the gross earnings of the working of such vessel."

There was, at any rate on that side of the House, a very general desire that as many persons as possible should be included in the advantages to be given by this Bill; but many hon. Members would be surprised to know that the effect of this sub-section would be to exclude more than 100,000 fishermen in England, Scotland, and Ireland from those advantages. A vast proportion of the fishermen, especially on the east coast, worked on the share principle, and he supposed that some pressure must have been brought to bear on the Government, probably by some Scottish representatives, to exclude such fishermen from the Bill. If there was any body in Great Britain who deserved the sympathy of Parliament it was fishermen, who did such valuable work in providing food for the people, in saving life, and in going to the help of the crews of shipwrecked vessels. If sailors and apprentices were to be included in the Bill, why not give the same rights to fishermen? He hoped the Government would be able to give the House some sort of satisfactory answer as to how a sub-section of this kind had found its way into the Bill.

MR. COURTHOPE seconded the Amendment. He thought that fishermen ran greater risks than any other kind of seamen, and ran those risks in the interests of their employers. It had been said that these men ran risks in their own interests, but he did not think that that was a sufficient answer, and he therefore hoped that the Government would favourably consider the Amendment and do away with an unnecessary and unjust restriction.

Amendment proposed to the Bill—

"In page 8, line 14, to leave out paragraph (i)."—(*Sir G. Doughty.*)

Question proposed, "That the words proposed to be left out, to the word 'fishing,' in line 15, stand part of the Bill."

SIR W. ROBSON thought that both hon. Gentlemen who had spoken would have altered their opinions if they had been on the Grand Committee where this provision was excluded at the request of the fishermen themselves. They pointed out to the Government that every one of them was his own employer, as they shared profits, and although no doubt they were anxious to get compensation like other workmen where they were in the position both of workman and employer they did not see where the compensation was to come from.

SIR G. DOUGHTY asked whether any fisherman from the eastern ports had desired to be excluded from the Bill.

SIR W. ROBSON said the Government had to make their inquiries both in the East and in the West, and they found that a great many fishermen in the East, some for instance in the hon. Member's own constituency, would be included because they were not profit-sharing fishermen.

SIR G. DOUGHTY said that many in Grimsby were profit-sharing fishermen.

SIR W. ROBSON said that they had done their best to consult them, but the profit-sharing fishermen both there and elsewhere said they wanted to be left alone. If they were to be included who was to pay the compensation? It was a partnership *ad hoc* and the partnership lasted throughout the season. How was it possible to deal with a partnership of that kind as if it were a continuous employment which lasted throughout the year? The fishermen unanimously accepted this clause, and it was inserted at their instance. He hoped it would not be supposed that the Government had anything to do with the matter.

MR. CORY hoped the right hon. Gentleman would keep this sub-section in the Bill. The fishermen were in the utmost consternation when they heard of this Bill, and they wrote imploring him to see that they were not included in it. He consulted them himself, and they all desired to be kept out of the Bill, and said that if they were not, their great industry would be ruined. [Cries of "Agreed."] If the matter was agreed he would not pursue it further.

Amendment negatived.

SIR ROBERT ROPNER moved to omit the word "fishing" from the sub-section, so that the small sailing vessels engaged in the coasting trade might be placed on the same footing as the fishing vessels contemplated in the sub-section. He said that many of these small vessels were being sailed under the same conditions as the profit-sharing fishing vessels, and he failed to see why a distinction should be made between the fishermen and those on board these small craft. In this case also there was no one who could be made responsible for the compensation, and therefore he asked the Solicitor-General to eliminate the word "fishing" altogether, and not to allow the Act to apply to small sailing vessels.

Amendment proposed to the Bill—

"In page 8, line 15, to leave out the word 'fishing.'"—(*Sir R. Ropner.*)

Question proposed, "That the word proposed to be left out stand part of the Bill."

Sir W. ROBSON said the provision as to profit-sharing fishermen was accepted at the instance of the fishermen themselves, but the Government had had no such representation from seamen engaged in small sailing vessels. If the Amendment were accepted the owners might give the seamen a small sum out of the profits in addition to their wages, and call them profit-sharing seamen and thus evade the Act. The Government therefore, could not accept the Amendment.

Sir E. CARSON could not understand why, after the course followed in regard to the fishermen, this Amendment should not be accepted, because every argument applicable in one case was germane to the other. The truth was that in the case of both small sailing and fishing boats the men were really partners in the venture, and what really ought to happen was that the crew who were so remunerated by profit should themselves form a mutual insurance, under which any person who met with an accident, who otherwise would have a claim under this Bill, would be compensated. The Solicitor-General had given them no reason for not accepting the Amendment except that the fishermen had come and asked for a particular clause, but he was not at all sure that the obligations of the Act had been brought home in their full force to the men on these smaller vessels where exactly the same system was in vogue as in the case of fishermen. Another reason why the Amendment should be adopted was that it would encourage the crews instead of merely making profits for their employers to become partners in the vessels and to work for themselves. They would thus obtain some share in the management of the general venture which was carried on under such risky circumstances and greater care would result. He hoped the Solicitor-General would further consider the matter. He did not know what inquiries the hon. and learned Gentleman had made or whether he had inquired into the views of the crews of these small vessels who were employed under these circumstances.

Sir Robert Ropner.

And, it being Eleven of the clock, the debate stood adjourned.

Debate to be resumed To-morrow.

Whereupon Mr. Speaker adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at one minute after Eleven o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Wednesday, 5*th December*, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against; of inhabitants of parishes of St. Mark, St. Helens, and West Derby. Read, and ordered to lie on the Table.

TRADE DISPUTES BILL.

Petitions for Amendment of; of Leeds Incorporated Chamber of Commerce; and Walsall and District Incorporated Chamber of Commerce. Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

SHOP HOURS ACT, 1904 (BOROUGH OF DARLINGTON).

Order made by the council of the borough of Darlington, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for chemists' and druggists' shops within the borough.

PENAL SERVITUDE ACTS, 1853–1891 (CONDITIONAL LICENCE).

Licence granted by His Majesty to William Jones under the provisions of the Penal Servitude Acts, 1853 to 1891, to which are annexed conditions other than those contained in Schedule A of the Penal Servitude Act, 1864.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

BUSINESS OF THE HOUSE.

*THE MARQUESS OF LANSDOWNE: Before we proceed to the business on the Paper, perhaps I may ask the noble Earl the Lord President of the Council whether he can give the House any information with regard to the course of business during the not too many days which remain to us between the present date and the Christmas holidays.

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): I greatly regret the absence of my noble friend the Leader of the House, who, I am sorry to say, is unwell, though I hope not seriously, and I trust he will be in his place, at any rate, at the beginning of next week. As the noble Marquess is aware, to-morrow we propose to take the Third Reading of the Education Bill, and, as it is possible that that may not lead to very long discussion, we are placing on the Paper the Town Tenants (Ireland) Bill for Second Reading, and we hope we may be able to make some progress with that measure. On Monday, the 10th, we propose to put down the Committee stage of the Trade Disputes Bill, and also the Merchant Shipping Bill (Committee) in case there should be time to deal with it. On Tuesday, the 11th, the Second Reading of the Plural Voting Bill and the Merchant Shipping Bill (Committee) will be taken; on Wednesday, the 12th, the Town Tenants Bill (Committee); on Thursday, the 13th, the Land Tenure Bill (Committee). That is as far as I am able to inform the House at present, but in view of the amount of business before us it is very possible that we may have to ask your Lordships to sit on Fridays—not next Friday, but on the remaining Fridays during the session—with a view of doing what I am sure we are all anxious to do, viz., winding up the business of the House before Christmas.

I may remind your Lordships that one or two circumstances have been somewhat against us in the allocation of business during these autumn sittings. In the first place, nobody anticipated that the Education Bill would take quite so long in Committee as it did. I only hope that no failure of mine led to its taking longer than was anticipated. As your Lordships are aware, the Committee stage was unprecedented in length, nearly three times as long as that of any other Bill which has ever been before this House, and I think we could hardly have been expected to foresee that that would happen. In addition to that, the greatly regretted absence of my noble and learned friend on the Woolsack prevented us from dealing with the Trade Disputes Bill as early as we might have done, and the Plural Voting Bill was in turn delayed in its passage through this House by the illness of Mr. Harcourt. Therefore, if we have to ask your Lordships to sit on Fridays, I hope the House will agree that it is not entirely our fault, but that we have been to some extent the victims of circumstances. In the event of our sitting on Fridays, I have no doubt it would be for the convenience of your Lordships that we should sit early in the day, perhaps at twelve o'clock, in order to enable those of your Lordships who desired to do so to leave London in the course of the afternoon.

The Earl of CAMPERDOWN: I should like to ask the noble Earl, supposing we sit on Fridays, and we have to sit after Christmas, when does he propose that we should adjourn for the Christmas holidays?

The Earl of CREWE: I am unfortunately not in a position to answer that Question. The object of the Friday sittings is to avoid sitting after Christmas, and I am not able off-hand to name the date on which we hope Parliament will be prorogued.

The Earl of CAMPERDOWN: Might I ask further whether it is proposed to bring up to this House any more Bills other than those now before us?

The Earl of CREWE: As far as I can say without referring, there are certainly two measures which, in the natural course of things, would come before your Lordships, namely, the Workmen's Compensation Bill and the Provision of Meals for School Children Bill.

LAND TENURE BILL.

[Second Reading.]

Order of the Day for the Second Reading read.

The PRESIDENT of the BOARD of AGRICULTURE AND FISHERIES (Earl Carrington): My Lords, in rising to move the Second Reading of the Land Tenure Bill, I should be the last person in the world to attempt to deny that when this Bill was first introduced there was a certain amount of unpopularity about it in some quarters, and I might go so far as to say that it excited a certain amount of apprehension. I am glad to be able to say that that feeling has to a great extent died down. But there yet seems to be a good deal of misunderstanding on the subject, and the Bill apparently still causes a certain amount of unnecessary alarm. One reason for this apprehension possibly lies in the name "Land Tenure Bill." People seem to think there is something mysterious in the name. Personally, I think it ought properly to have been called the Agricultural Holdings Act Amendment Bill, 1906. One reason given why the Bill should not be allowed to pass into law this session has been that it was a private Member's Bill. But if my memory does not fail me, Mr. Balfour himself in 1897 carried through the Workmen's Compensation Bill giving agricultural labourers compensation. While it was a private Member's Bill that measure was watched in the House of Commons by Mr. Long; it was passed through that House as a private Member's Bill, and taken over as a Government measure when it reached your Lordships' House, and passed into law, to the great advantage of all concerned. I venture to suggest that that is a precedent, and not at all a bad one, for the action His Majesty's Government have taken on the present occasion.

I may remind your Lordships that the Land Tenure Bill was introduced into the House of Commons on 9th March by Mr Agar-Robartes, the son of the Lord-Lieutenant of Cambridgeshire, a Member of your Lordships' House, who also owns a large and well-managed estate in the west of England. It passed its Second Reading by a majority of 253 votes, and was then sent up to Grand Committee, where it remained nine days, being well threshed out and a good deal altered. It was then brought back to the House of Commons, where it was discussed for nine days on Report, and, after a hostile Amendment moved by Sir Henry Kimber, who could rally to his standard only twenty-seven Members, of whom only seven were county Members, against a majority of 260, there was no division on the Third Reading. The Bill occupied seventeen Parliamentary days, so that I do not think anyone can say that, consisting as it does of only twelve clauses, it was not properly and fairly discussed in another place. Another reason urged against the Bill—which, if it had been well-founded, would have been a potent and cogent objection—was that it would interfere with something your Lordships have very much at heart—the creation of small holdings. With all respect, I hold, on the contrary, that it will facilitate the creation of small holdings. If this Bill becomes law landlords will be more careful than ever of the kind of men they select to put on these small holdings, and at the same time the men themselves will be more secure in the holdings given to them. That this is a necessity has been shown by the legislation passed by both Parties in the House for the benefit of small holders—the Allotments Act, 1887; the Allotments and Cottage Gardens (Compensation for Crops) Act, 1887; the Small Holdings Act, 1892; and the Market Gardeners' Compensation Act, 1895.

Perhaps the most serious difficulty experienced by the supporters of the Bill has been the organised opposition of that great practical agricultural body, the land agents, surveyors, and tenant-right valuers of England, who at first took up a decidedly hostile attitude towards the Bill, but who, I am glad to say, like other persons, have considerably modified their opinions. Within the last two days, the Surveyors' Institution have been courteous enough to send me a memorandum in which these words occur—

> "That the apprehension against the Bill originally felt is to a great measure removed."

Different bodies have sent deputations to interview me on the subject. I well remember the first deputation I had the pleasure of receiving. It was introduced by Mr. Elias Squarey, a well-known and respected member of the Surveyors' Institution, who went so far as to say that he considered the Bill simply as spoliation. I need not quote other hard words which he used, but that is the attitude he took up. He was supported by another past president of the Surveyors' Institution, Mr. Arthur Vernon, of Great George Street, a man of great knowledge and highly thought of in the agricultural world, who maintained that not one farmer in a hundred cared three straws about the Bill. That was the opinion of a past president of the Surveyors' Institution in March, but when I think of the support that the Bill has received in the agricultural world, I am not quite sure that that distinguished gentleman is right. I am not going too far when I say that the Bill has received the practical support of the Central Chamber of Agriculture, that great body which represents the different Chambers of Agriculture throughout the country. I openly confess that the Central Chamber of Agriculture did not agree with Clause 7 as it originally stood, but that was the only clause on which they disagreed with us, and, as that clause has been materially altered, I do not think I am stretching language when I say that, practically speaking, the Central Chamber of Agriculture supports the Bill. Then the Farmers' Club, a large body consisting of 915 farmers, had a special meeting to discuss the Bill, and passed a Resolution in its favour. Further, I was present at a meeting of the Scottish Chamber of Agriculture, and, though it would not be correct to say that they were in favour of the Bill as it stood, I can truthfully say that they were in favour of all the principles save one contained in the Bill, and they even went further in some respects than the Bill itself. What they objected to was the compensation for disturbance clause, very properly saying, "That is no good to us; we do not want compensation for disturbance, for the simple reason that we have nineteen years leases, so that we are never disturbed." They were in the same category as the northern miners, who objected to the Eight Hours Bill for the simple reason that they worked only six-and-a-half hours. I took the opportunity of pointing out to the Scottish gentleman that though they were, so to speak, in clover, they ought to think of their less fortunate brethren south of the Tweed, and give them the chance which they themselves did not need. Another great body, the Land Law Reform Association, met in London; they collected a great body of opinion from different parts of agricultural England, and also from representatives of towns, and they saw that the Bill would do something—I do not say a great deal—to help to stop the terrible congestion in our great manufacturing towns which is so great a menace and danger to the future.

I now come to the opinion of the farmers. There was a meeting at Newcastle of 600 tenant farmers of the North of England. They did not discuss the Bill; like the Caledonians, they would not give any opinion about the Bill *quâ* Bill, but I must point out that all the principles of the Bill were highly approved of by these hard-headed Northern farmers. ["No, no."] I speak under correction, but my opinion and recollection are that the main principles embodied in this Bill were approved generally by those tenant farmers. Like the Scotsmen, they went even further than I did, and recommended agricultural reforms that are not to be found in the Bill which I have the honour to bring before your Lordships. Then thirty Essex farmers came to see me. Most of them were of a different shade of politics from those of us who sit on this side of the House, and several of them farmed from two to three thousand acres of land, and they also were in favour of the Bill. Last, but not least, I had a deputation from 1,600 Lincolnshire farmers, who had bound themselves into a union, called the Lincolnshire Farmers' Union, and they said, "We are in deadly earnest over this Bill." Therefore, I think I can fairly say that the great consensus of agricultural opinion, especially of the farmers, is in favour of this Bill. I do not wish to exaggerate in any way or to create a false impression, but I believe that if you were to poll the tenant farmers of the country, at least 70 per cent. of them would be in favour of the Bill I am introducing. ["No, no."]

The object of the Bill is in no way to make an attack on any single landlord or on landlords as a class. Its sole and only object is to make a bad landlord, if there is such a person, do by law what all good landlords for years and years have done by grace, by favour, and by instinct. If I may be permitted, I should like very briefly to run through the main points of the Bill as it stands. Clause 1 simplifies and cheapens transactions between landlords and tenants and does not alter existing arrangements. I would call to your Lordships' attention one fact, namely, that where a tenant has made on his holding any improvement comprised in the first Schedule to this Act he is, at the determination of his tenancy, on quitting his holding to be entitled to obtain from his landlord as compensation for the improvement such sum as fairly represents the value of the improvement to an incoming tenant. There are two points to be noticed in that provision. In the first place, by the insertion of the words "on quitting his holding" the sitting tenant is taken out of the Bill. Personally I am sorry for that, because if most landlords have a warm corner in their heart it is for the man who sticks to the ship, and I have never been able to see why the man who goes on with his farm on a new tenancy should not be treated as liberally as the man who leaves the estate, having perhaps made his fortune. However, the Conservative Party knocked out the sitting tenant, so it is no use talking about him. Your Lordships will observe that from the first subsection of Clause 1, the phrase contained in the Act of 1900 about the inherent capabilities of the soil being taken into account is omitted. The question of the inherent capabilities of the soil was well threshed out in the House of Commons and in the Royal Commission, so that without detaining your Lordships on the point I will pass to the next important part of the clause, viz., that all questions to be determined by arbitration should be determined by a single arbitrator. There has been a great deal of discussion about this single arbitrator, and as much diversity of opinion as to whether the provision is right or wrong has been expressed, I should like to read a few words written by one of the cleverest law officers of the Crown which explain the operation of the clause.

THE EARL OF CAMPERDOWN: Would the noble Lord tell us who the lawyer is?

EARL CARRINGTON: It is Mr. Clark, the lawyer of the Board of Agriculture. He says—

> "The clause would operate only in case the landlord and tenant failed to settle. It would not prevent them from arriving at any agreement without going to arbitration. If the parties did not come to an agreement the operation of the clause would be that there must be a single arbitrator, and the arbitration procedure must be that which was set up in Part I of the second Schedule of the Act of 1900."

I think that is all I need say about Clause 1.

Now I come to Clause 2, which is known as the game clause. Here I should like to make a personal statement. Many of those for whom I have the greatest respect and affection have for the last few months bombarded me with the question, Why on earth do you want to do away with sport? My Lords, I will ask one question in return. Is it likely, if that was either my wish or the wish of the promoters of this Bill, that I should be supported by noble Lords who sit on this side of the House? Is it likely that I should be supported by men who are well-known in the hunting-field and are celebrated for their prowess with the rifle and the shot-gun? On the contrary, the object of this clause is simply and solely that British sport should be carried on in a sportsmanlike and British manner, and in that I feel certain I shall have the sympathy and support of both sides of the House. We do not wish to interfere in any way with either game preserving or game letting under proper conditions. Personally, I maintain that under some conditions game preserving is an absolute benefit to a neighbourhood. May I give an instance? Many of your Lordships travel by the Great Eastern Railway, and will have noticed that dreadful Peru-like piece of country between Thetford and Brandon, land only fit for growing rabbits and fir-trees, not fit for any decent sort of cultivation. In the old days that land had upon it only a few starved sheep and a few still more starved people, and a few stunted roots. But some gentlemen have settled in the neighbourhood and preserved game to some extent, and what is the result? Cottages have been built, churches erected, a water supply laid on, roads made, and, if I may use a Scriptural quotation, that one-time desert now seems to blossom as the rose. I do not for one moment say that game preserving should be initiated in any highly cultivated country. Far from it; but I defy contradiction when I say that there are portions of England where game preserving might be carried on without any great injury to the community at large, and, in such instances as that I have quoted, with great benefit to society in general.

But, my Lords, on the other hand, we cannot shut our eyes to the fact that a great deal of game preserving is carried on under circumstances which are not at all good for farming or for tenants. I should like to give an instance of what I mean. There are several shooting places to be let, and doubtless your Lordships from time to time receive particulars. I take one at random. It is a small estate of about 10,000 acres, which to some of your Lordships is a very small modicum of land, and the shooting is to let. The advertisement states that 10,000 head of game is annually killed on it, including 5,000 pheasants and it goes on to say that the property would easily carry 15,000 pheasants. I ask the House to consider what would be the position of the tenants on that estate if there was brought in a shooting tenant who decided to increase the pheasants by 200 per cent., and, instead of 5,000, 15,000 were to be reared. What would happen? The shooting tenant on going down in November would be at once met by a deputation of the tenants who would say, "Mr So-and-So, we greatly regret it, but it is impossible to farm against the great weight of your pheasants; we must have some compensation." The shooting tenant would naturally say, "I am an agricultural compound householder; I have paid a large sum of money for this amusement and this shooting; do not come to me; go to the landlord." If the estate happened to be the property of an ordinary landlord, of course he would at once give compensation to the tenants. But it might be one of those estates which are either in Chancery, or in Lunacy, or in a hopeless state of insolvency, the rents hardly covering the interest required by the society which had lent the money on mortgage. The wretched tenants would try to find the landlord, but they would never succeed; they would have to go to the lawyer who managed the estate, who would naturally say, "We cannot be bothered with you; the shooting tenant is of far greater importance; you have your remedy at common law; you can go to the county court if the damage is under £100, or to the High Court if it is more; take your remedy, but do not bother us" Moreover, he would most likely say further, "This is a tiresome litigious tenant; we must get rid of him;" and the man would lose his farm, because the shooting tenant on an estate of this sort—and it is not an isolated case—would be of far greater importance to the people who had lent the money on mortgage. This game clause says that the amount of compensation should in default of agreement be determined by arbitration and should be recovered from the landlord. After all, what the clause does is to carry out the recommendation of the Majority Report of the Royal Commission of 1897, which stated that more effective and less expensive means should be provided whereby farmers can recover compensation for damage done by winged game.

There is only one more word I need say on this clause, and that is in reference to the insertion, in the House of Commons, of the word "deer." I have grave doubts whether the Scottish Members of your Lordships' House will be inclined to allow the word to remain in the Bill. I believe it was originally inserted on account of the west country deer. There is very fine sport in the west of England, and the word was inserted to preserve the deer and prevent their being shot by the tenant farmers in the hard weather.

Now, my Lords, I come to Clause 3, which deals with freedom of cropping. Is this wrong? Can your Lordships have any objection to allowing a tenant, under proper safeguards, to do the best he can for his farm, cropping it as he likes, provided, as is the case in this clause, the rights of the landlord are properly safeguarded? The clause simply carries one step further the provisions of the Act of 1900 which abolished penal rents and confined the amount of damage which the landlord could recover to the amount of damage done. I think that, without exception, every Chamber of Agriculture and every farmers' club is in favour of this proposal. I might point out that the section does not apply to the last year of leases nor to the year before a tenant quits a yearly holding. That is, as your Lordships will see, to bring back the farm into the state of cultivation in which it would be taken over by the incoming tenant, and under the clause I may fairly say that the expenses of the incoming tenant are not in any way increased.

I come now to the only really new proposal in the Bill, viz., Clause 4, which gives compensation for disturbance. The great objection urged against this clause is that it tends to dual ownership. I contend that it does nothing of the sort. What is dual ownership? It only exists where a tenant has the power to sell his tenant-right, and this Bill confers no power of free sale of improvements of any sort, condition, or kind. Of course, the difficulty in the clause was to define when a farmer without good and sufficient cause evicted a tenant. I believe the whole House is with me when I say that if a tenant were evicted capriciously, maliciously, or cruelly he ought to receive compensation for disturbance. I daresay that Lord Kenyon, who was with me on the Welsh Land Commission, will remember that it was calculated that in Wales a change of tenancy meant a loss of 20 per cent. on a man's holding. It is not like a change of lodging. When a man is evicted from his farm, it must mean a serious loss, and we contend that this clause is perfectly fair, right, just, and honourable. I do not expect to find any noble Lord standing up in this debate for the power of a landlord capriciously or maliciously to evict a tenant who may have been for years and years on the farm, without the tenant having some right to claim compensation for disturbance. The words we have put into the clause meet the difficulty, I think, as far as it can possibly be met; they are—

> "Where a landlord for reasons inconsistent with good estate management, terminates or refuses to grant a renewal of the tenancy"

and so on. "Reasons inconsistent with good estate management" would be very well known to any ordinary valuer. I believe they would allow the desire of the landlord to take back his land for the purpose of creating small holdings or allotments, planting, working minerals, railways, or any public undertaking. I was extremely pleased to see in the memorandum from the Surveyors' Institution, to which I have referred, that these practical hard-headed men, who were so antagonistic a few months ago, say that no Amendment is suggested to this section.

The remaining clauses call for no special comment. I shall be glad to explain them in detail at a later stage if necessary, but I am afraid I have already trespassed too long on the time of the House. Clause 5 makes the Market Gardeners' Act retrospective, carrying out the original intention of Parliament which was nullified by a recent legal decision. This provision was not originally in the Bill, but was inserted on the motion of a highly respected member of the Conservative Party, Colonel Long, M.P. for the Evesham Division of Worcestershire; it is demanded by the fruit growers, and recommended by Mr. Griffith Boscawen's Departmental Committee. Moreover, I had a deputation from the nurserymen of London, composed of Mr. Veitch and other gentlemen, who told me that, while they were in no way supporters of the Party to which I belong, they thought it only right that they should be included in the Bill. I told them it was too late to meet their wishes, but I was glad to receive them, because, after all, it showed that these men of position and respectability, and above all, of different political opinions from myself, could not have considered the Bill to be one of spoliation, or rascality, or robbery, or they would not have wished to be brought within its provisions.

Clause 6 enables the tenant of an impoverished landlord to carry out repairs to farm buildings. He has to do two things. He can execute the repairs himself and claim compensation for so doing, but he must give notice in writing beforehand to the landlord and give the landlord a reasonable opportunity of doing the repairs himself; then if the landlord neglects to mend the roof or make the house watertight or do whatever repairs may be necessary, other than the repairs the tenant is obliged to do for himself, the tenant may execute the repairs and claim compensation at the end of his tenancy. I do not think anybody can say that that is a hard or unjust principle.

I have one other remark to make before I sit down. It has been said to me over and over again, "Why do you bring this Bill in at all? What is the good of making all this stir? Why do you not let sleeping dogs lie?" With all respect I would ask, Is it not better to propose moderate legislation when things are quiet than to have to bring forward hasty and ill-considered legislation in time of stress and storm? Let me give an example of what I mean. Your Lordships may remember that 1892 was a year of bad harvest; there had been two bad harvests, and the harvest of 1892 was the third bad year in succession. Wheat fell to 17s. a quarter. Agriculturists and farmers were frightened out of their wits, thinking the end of the world had come, and all over the country, especially in the north of England, meetings were held, a very strong anti-landlord feeling sprang up, and strong measures were advocated. In Lincolnshire, Cheshire, Wales, and Northumberland they advocated land Courts for the fixing of judicial rents and Irish legislation generally as a remedy for the bad state of things that obtained, and the movement culminated in a great national agricultural conference where Irish legislation was openly advocated, and the *Mark Lane Express* urged the formation of a "farmers' Party." What happened? The Government at once appointed two Royal Commissions, one a Welsh Commission, of which I had the honour of being Chairman, and the other an English Commission, which brought out an interim report recommending as a panacea for all the evils of the tenant farmer the Agricultural Rates Act, which cost the country £1,500,000 annually. I am not going to argue whether or not that Act was a success, but I hold that it was legislation hastily brought forward. What is the opinion of the President of the Surveyors' Institution on the point? In an address on 8th November of this year, he says—

> "This Act has been frequently quoted by Conservative Members of Parliament, to show what the Unionist Government did for the tenant farmer, but I am sorry to say it has not been as much use to him as was at first anticipated."

Therefore, I think that we should not be blamed for trying in times of peace to bring forward moderate legislation which can be discussed and argued and put on a proper footing instead of waiting till bad times come, as come they must, when perhaps hasty and ill-considered legislation would again have to be brought forward.

My last words, in thanking your Lordships very sincerely for the kind attention you have given me, are these. All we ask is that the recommendations of Royal Commissions and the declarations of Unionist statesmen should be carried into effect. We simply ask that the ordinary estate management practised by the House of Lords should be practically adopted all over the country. It has been said, I believe with truth, that your Lordships own one-fifth of the land of this country. So far as I know, there has never been any protest against these vast possessions—except perhaps from socialists who are genuinely anxious to see the nationalisation of land—because of the belief that these great estates are wisely and humanely administered. Of that there cannot be the slightest doubt. Some hard things have no doubt been said of your Lordships' House, but the severest critic of this House has never been able to attach any blame with regard to the manner in which these great agricultural estates have been administered. Why and how is this? It is simply because your Lordships, to your great credit, have managed your vast estates on the just and humane principles which you have initiated and carried out, and these are the principles which His Majesty's Government have copied and embodied within the four corners of the Land Tenure Bill, which with great respect and still greater confidence and hope I ask your Lordships this afternoon to read a second time.

Moved, "That the Bill be now read 2a."—(*Earl Carrington.*)

*THE EARL OF ONSLOW: My Lords, the noble Lord opposite has introduced this Bill in so sporting a speech that I feel I owe some apology to your Lordships for inviting you to consider a matter of such great importance to the country in a serious fashion. I rise to make some remarks upon this Bill, but not for the purpose of asking your Lordships to deny it a Second Reading. I, as a land-owner, gladly accept at the hands of my friends small favours, and I am equally pleased when at the hands of my enemies I receive but light punishment, especially when I know that their opinion in regard to minorities is that suffering is the badge of all their tribe. The noble Lord opposite has had an advantage which I did not possess when I had the honour of occupying the position he now holds. By the aid of a bumper majority in another place, by a not illiberal use of the power of the closure, and by the advantage of an autumn session, he has succeeded in passing into law several measures which he found in the pigeon-holes of the Board of Agriculture. But he did not find this Bill in any of those receptacles. It is not the child of the noble Earl at all. It has had a very chequered career, and its original ancestry is lost in the mist of ages, though I believe that since it has been sponsored by so respectable a person as the noble Earl opposite it has been claimed by several Members of the other House. At any rate, it was brought in originally by an hon. Gentleman who now sails the main in company with the noble Lord the First Lord of the Admiralty but I suppose he thought that an agricultural Bill was scarcely racy of the soil of the quarter-deck and therefore he dropped it. Another gentleman who, having dipped his hand in the lucky bag and drawn the first place in the ballot, and having no particular Bill he wished to bring in, took charge of the Bill now before your Lordships.

No wonder the Bill is somewhat imperfect in its drafting. It does not bear upon it the marks of those intelligent lawyers who are always at the command of Government Departments. But no sooner had the noble Earl taken the Bill under his charge than he was told from all sides that nobody wanted it. He has informed your Lordships to-night that he has the support of the hard-headed farmers of the north, and of a great many other people. If you offer to give somebody something which he never expected and never asked for, it is not unreasonable to suppose that he will not throw the proposed gift back in your face, and I think it was under these circumstances that it was approved by certain Chambers of Agriculture in this country. But I read with great care the report of the proceedings of the meeting at Newcastle, to which the noble Earl referred, and I do not think that anybody reading that report would consider the noble Earl was quite justified in saying that the hard-headed farmers of Northumberland were entirely in favour of the Bill. The noble Earl himself went down and addressed several meetings, at one of which he made a pathetic appeal to the farmers "not to leave him in the lurch," and I suppose those to whom he has alluded this evening are those who have not left him in the lurch. I am glad that he has had some support, at any rate, from his own county, because there the noble Earl is well known and much respected. Everybody knows that the management of his estates in the county of Lincolnshire commands universal admiration; a deputation of Lincolnshire farmers were the first to approve of this proposal introduced by the noble Earl.

I must ask for this measure respectful consideration, because it emanates from His Majesty's Government; serious consideration, because the matter with which it deals is of considerable importance; and, perhaps I may add, not unfavourable consideration because the noble Earl opposite at any rate is of opinion that it will confer great benefit upon the country. I was glad to hear that the noble Earl did not entirely approve of the title of the Bill. It is called the Land Tenure Bill, but really it has very little to do with the tenure of land as we know it. Tenure of land in this country has gone through a time of trial, and, perhaps, the greatest tribute to our system of land tenure is the fact that, notwithstanding the depression in agriculture of the last twenty or thirty years, you may find on the same farms the children and the children's children of the men who occupied them fifty or 100 years ago. That points to the fact that the system of land tenure in this country is not one that can be seriously cavilled at. That position has been achieved by dint of many sacrifices on the part of those who own the land, with the desire to share the hardships and the difficulties of those who stood in the relation of tenants to them.

There are some Acts of Parliament called after their authors, such, for example, as the Ashbourne Act, passed by my noble friend Lord Ashbourne, Lord Campbell's Act, and the one with the somewhat singular name of Michael Angelo Taylor's Act. The noble Earl opposite has exercised self-denial in not endeavouring to secure that this Bill should be called Lord Carrington's Act. He has suggested that it should be called the Agricultural Holdings Act Amendment Bill. I hope his intention, although he did not state it, is, if your Lordships pass this Bill, at a very early date to introduce that which is really seriously needed by the agriculturists of the country, namely, a Bill to consolidate all the Agricultural Holdings Acts. I think that such a measure would be more acceptable than the Bill now before your Lordships.

Clause 1 provides for the appointment of a single arbitrator. All through the Bill the arbitrator is the star actor of the piece. He must be a man of great talents, almost an omniscient Solomon, and he must be remunerated accordingly. He must not only understand all about farming and the value of farm-stock, but he must know all about the habits of game; he must be able to tell whether damage is done by pheasants or by wood-pigeons, whether it is done by winged game which the tenant may not kill or by hares and rabbits which he may kill; he must have that rarest of all gifts, the gift of prophecy, because he must be able to say whether, when a tenant quits his farm, the loss which he makes by an immediate sale of his live and dead stock is greater than he might have made had he been allowed to sell it at a later period. Then he must know all about estate management, because he has to decide whether, when a tenant quits a holding on notice from his landlord, the landlord is acting in, or contrary to, the interests of good estate management, and he must, above all, be able to interpret the very difficult words "good and sufficient." I think the noble and learned Lord on the Woolsack must be looking with equanimity, if not a little more, upon this Bill, and especially upon these particular words, in view of the rich harvest which lies ready to be reaped by the gentlemen of the profession of which he is at once the head and the principal ornament. The arbitrator must also be able to define exactly the word "loss," and on that point I will quote an authority at which noble Lords opposite will not cavil. The Solicitor-General in the present Government says—

> "Nothing looks easier to interpret than 'loss' but highly trained and highly renumerated minds can find a dozen meanings for it."

I think it will be necessary very highly to remunerate the individual who is to decide all these abstruse and intricate questions.

Then the arbitration is to be before a single arbitrator. There has been a good deal of doubt in the minds of many people as to how far this will introduce a change into the existing practice. Personally I do not think it really means very much. In fact, there is a good deal in this Bill which I do not think means very much. If there is anything in this provision, I think it is a change for the better. We have been making use of misnomers. We talk about two arbitrators and an umpire, but what we really mean is two valuers and an arbitrator, and I do not think there will be any difference in the practice under this clause. You will have your two valuers or rather two advocates, one on each side, just as you have now, and they will go before the single arbitrator. If the noble Earl is anxious, as I am sure he is, to confer a benefit upon the agricultural community, might I suggest that he should do that which requires no Amendment to this measure, but is a purely executive act, namely, appoint throughout the country men of high standing in the valuers' profession who should be known as the official arbitrators ["No, no."], selected by the Board of Agriculture and above suspicion ? I venture to think that that would be more satisfactory than the present method. ["No, no."] As I hear a noble Lord say "No, no," I would point out that I am not making that proposal on my own initiative ; it has the support of the late President of the Surveyors' Institution and of the Lincolnshire farmers who waited upon the noble Earl. I do not know what may be the opinion north of the Tweed, but I am certain that in this country there would be much more confidence placed in a person who had a responsible official position than is placed in a man chosen by the two valuers appointed by the parties.

The Earl of Onslow.

I will not detain your Lordships at any length on Clause 2. The noble Earl tells us that the noble Lords behind him are all sportsmen. I hope they are. Of this I am perfectly certain, that neither they nor noble Lords on this side of the House nor anybody else are likely to have a good head of game on their property unless they are on good terms with their tenants. I really do not think it matters a snap of the fingers what you put into your Bill with regard to game ; if you cannot agree with your tenants they will take very good care that you do not get sport. There is one point to which I would direct attention, and that is the provision that in awarding compensation the arbitrator is to take into account any agreement specially made providing for an allowance for damage by game. I am afraid that unless that provision is in some way amended there will be a danger of some tenants getting compensation twice over, because it is a matter of common knowledge that many farms are let to tenants it being well known that there is a certain amount of game on the farm, and the rent is fixed accordingly. Although the rent is fixed accordingly there may be nothing said in the agreement that, say, 15s. instead of £1 an acre has been agreed upon on account of the possibility of damage by game, but under the Bill as it stands, unless there is an actual amount stated in the agreement, the arbitrator will be bound to award full compensation for damage by game. notwithstanding the fact that the tenant has already been allowed for it in the amount of his rent.

Then I come to the next clause, which deals with freedom of cropping. The noble Earl said a great deal about the way in which your Lordships' estates are managed. I do not know of any estate on which freedom of cropping is not allowed, of course subject to the land being brought back into proper heart before the tenant quits the holding.

Therefore I see no objection to this clause, provided the words really carry out what the clause purports to do. I observe that it is to operate notwithstanding any contract or custom of the country. If you are going to override all contracts I think the noble Earl is right in saying that you must also override the custom of the country—for this reason: in many parts of England land is let without any agreement at all; in fact, some people are so suspicious that, if they have an agreement, they think the landlord wants to get something out of them, and they prefer to hold under the custom of the country, and these are principally the small men, especially in Wales and the West of England. Therefore, if you are going to override contracts of tenancy, I think it is a logical consequence that you must also override the custom of the country also.

Then there is one other point which, perhaps, in another place was not sufficiently considered. I observe that the tenant is to be required to return to the holding the manurial value of all the crops sold off the holding. That means that he is in some way to return the manurial value of the threshed corn sold off the holding, but that surely is not the intention of the Bill. Every farmer sells off the corn, but what he has to return to the holding is the hay and the straw, and I understand that the intention of the clause is to provide for that.

I now come to Clause 4, which, I confess, filled me with considerable misgiving. I do not profess to be able to give any exposition of the law of the land to your Lordships' House or anybody else, but I think I may go so far as to say that this is the first time that legislation has been proposed by which compensation is to be paid at the expiration of a contract where there has been no breach of that contract; although I readily admit that the noble Earl at the instance of friends of mine in the House of Commons, has largely modified the clause, and made it of such a character that perhaps in practice it will not work any injustice, I still think it is introducing into the law of the country a very dangerous precedent. The noble Earl stated his belief that the effect of the Bill would be to encourage the creation of small holdings. I have been sitting now for some years on a Committee considering the question of how small holdings can best be provided. The Report of that Committee will be in your Lordships' hands in the course of, I hope, a few days, but, without in any way anticipating what will be the findings of the Committee, I think I may say at once that it certainly will not suggest that having to give compensation to a large farmer for giving up his farm to be turned into small holdings is one of the ways in which you can encourage the creation of small holdings.

The noble Earl believes the clause will prevent landlords from capriciously evicting their tenants, and I am glad to think that tenant-right valuers share his opinion. I hope that it may be so. But there is one point to which I should like to draw the noble Earl's attention. If your Lordships consider how it will work out in practice you will see that there is some danger of hardship, not only to the landlord, but also to the tenant. The question of whether or not compensation is payable can only be determined after the tenant has been turned out of his holding, and then by a valuer, a man without legal training and not accustomed to weigh questions of "good and sufficient" reasons, which are familiar to lawyers. I would suggest to the noble Earl whether he might not see his way to introduce some machinery whereby, as soon as notice is given to the tenant to quit, the one point of whether or not it has been given for good and sufficient reason should be determined at once by some legal tribunal. It would then be possible for the landlord, if the Court found that the reasons were not good and sufficient, to withdraw his notice. In every case the landlord would think the cause good and sufficient, and the tenant would invariably be of opinion that the cause was bad and insufficient. That is simply human nature. But there are many cases in which a landlord might think it his duty to his neighbours and to the property to get rid of a bad, dishonest, or perhaps immoral tenant. Is that a good and sufficient cause, or not? If a landlord were told it was not, he would probably say at once, "That has been decided by a Court of Law; my hands, at any rate, are clean, and I shall not make any further attempt to turn out the tenant." I strongly hold that the question of good and sufficient cause ought to be determined by a legal mind and not by a mere valuer.

Then I come to the final clauses of the Bill. The noble Earl proposes that repairs should be made a matter for which the tenant may receive compensation. I do not think that clause is likely to be made use of often, as repairs in this country, at any rate, are almost invariably done by the landlord. Then there is the clause providing for a record of the condition of the holding. I note that while the record is made at the commencement of the tenancy or after the passing of this Act, there is no provision for maintaining the record. Surely it would hardly be equitable in a case where a tenant goes into a property in bad condition, being let off, as sometimes happens, a year's or two years rent on that account, and the landlord should subsequently come in and put the farm into good condition and good repair, that then the tenant should be able to say on going out, "Oh, when I came in the farm was in bad condition, it is in a much better condition now, and I am entitled to claim compensation for the alteration." I think the record ought to be maintained, and everything done and by whom done should be endorsed upon the record.

Then I wish to say a word on a point which is not in the Bill. There is no provision for waste, by which I mean that there is no provision for those omissions whereby a landlord's property is diminished in value by the action of the tenant. I maintain that the law as it stands provides ample compensation for the outgoing tenant. Everyone of your Lordships has had experience of what compensation to an outgoing tenant means. It is generally admitted that the compensation is certainly equal to and often in excess of the increased value of the farm to the incoming tenant. I have had some experience of farming land myself and of bringing round farms which have been exhausted, and my experience—which I do not think can differ from that of the majority of your Lordships—is that when the tenant goes out you have to pay full compensation for the value of his improvements, and it generally means that in addition you lose a year's rent before you can relet the farm. One person has been too little considered in the framing of this measure. It has been looked upon throughout as a Bill dealing with the relations between the outgoing tenant and the landlord. But there is another person to be considered, and that is the incoming tenant. It is quite true that the liability lies upon the landlord primarily, but in practice when a farm is re-let it is the incoming tenant who has to pay everything which is payable to the outgoing tenant. In these days we know only too well that the farmer is not over well supplied with capital, and anything which tends to swallow up the capital of the incoming tenant in paying the valuation of the outgoing tenant must necessarily diminish the amount he has available for the purpose of stocking his farm.

The noble Earl said that the Bill has nothing to do with dual ownership or fixity of tenure. I agree that it is difficult to put your finger on any provision in the Bill and say "This is dual ownership," and "this creates fixity of tenure," but I do say, in the words, I think, of my noble friend near me when he was Minister for Agriculture, that it is a mild flirtation with both those principles, and I believe it will create an inconvenient precedent. Notwithstanding all the noble Earl has said—and he cannot prove his statement without taking a poll of all the farmers of England—I do not believe that this Bill is *bona fide* desired by the farmers of the country. I believe it will interrupt some of those pleasant relations which have hitherto existed between landlord and tenant, and make the management of property more difficult than it has been in the past. Although I do not ask your Lordships to refuse to give the Bill a Second Reading, because I recognise the conciliatory spirit of compromise which has actuated the noble Earl, I do say to him in the words of a great statesman who preceded him on that side of the House, "Why could you not leave it alone?"

LORD BURGHCLERE: My Lords we have heard from the noble Earl opposite, who speaks with great authority, having himself been Minister for Agriculture, a speech which makes my task in following him considerably easier. I gather that while the noble Earl does not see much necessity for the introduction of this measure, and while he does not agree with many of its provisions, yet he is not going to take the course of advising your Lordships to reject it. To sum up the noble Earl's speech, it appeared to me that he did not actually damn the Bill with faint praise, but be blessed it with a sort of tepid disapprobation. My noble friend said that the history of the Bill was a very ancient one, and he went back to the Parliament of 1895 and the Bill introduced by Mr. Lambert who is now Civil Lord of the Admiralty. I would venture to take the history a little further back in the same Parliament. There was a Resolution passed *nemine contradicente* in the House of Commons in 1893 in which all and even more than the principles contained in this Bill were embodied and accepted by Parliament. The Parliament of 1892–95 did not contain a predominant number of Radical members, the majority reaching a maximum of forty, while towards the termination of our career, as I well remember, it generally ranged between about seventeen and seven. Therefore it cannot be said to have been in any way a Radical Parliament, and yet it accepted that Resolution unanimously—I admit there were some Members who spoke in opposition to it, but they did not vote against it. The Resolution declared that it was desirable to obtain adequate compensation for all agricultural improvements. The House of that day was not content with the compensation given by the Act of 1883 or other Acts, but considered that larger compensation should be given to tenants, and it is the object of this Bill to bring about that end. The Resolution proceeded to emphasise the necessity of giving greater security of tenure, thus going further than the present Bill, and then went on to say that tenants should have freedom to make improvements, and freedom to cultivate and sell produce, and that the landlord's right to distrain for rent should be abolished. That improvement was advocated by Lord Randolph Churchill I do not know how many years ago, but even that old agricultural friend of ours is not included in this Bill. The Resolution also urged the importance of simplifying and cheapening the settlement of compensation cases and other differences between landlord and tenant, a result which, in the opinion of the promoters of this Bill, is brought about by the appointment of a single arbitrator. That Resolution was followed by Mr. Lambert's Bill of 1895, which, in many respects, was not nearly so moderate a measure as that now before the House. It was accepted by the Government of the day, and carried by more than the usual majority of the House of Commons. I would remind your Lordships that the Liberal Government of that day compared not unfavourably even with the present Government in regard to the agricultural authority of its Members. It contained two prominent statesmen whose absence we all regret to-day—the late Lord Kimberley, who was well acquainted with all agricultural matters and whose views would have carried great weight with your Lordships, and Lord Spencer, whose absence from our debates we so bitterly lament. Therefore, seeing that such a Parliament passed so far-reaching a Resolution and accepted that Bill, it cannot be said that the present Government are taking a very despotic course in asking your Lordships to agree to the present much more moderate measure.

Some dissent was expressed when my noble friend the President of the Board of Agriculture intimated that in his opinion the farmers of the country were in favour of the Bill. But if the Central Chamber of Agriculture and the Farmers Club support it, I think that is an indication at any rate, that the farmers, if not unanimously, at least so far as a great proportion of them are concerned, do conceive that the Bill will confer upon them benefits which they are willing to receive. Since some noble Lords cried "No, no" so vehemently when my noble friend expressed his opinion, I would say from my experience that if farmers are not in favour of the Bill, it is because it does not go far enough, but that, so far from being a reason why your Lordships should reject it, is rather a reason for your welcoming it. For my part, if the farmers of the country are willing to accept the measure as a settlement, at any rate during the duration of the present Parliament, of this long-debated, difficult, and technical subject, I can only say that if I had the honour of a seat on the other side of the House, I should vote for it with equal freedom and alacrity.

The noble Earl opposite drew attention to several defects, as he considered them, in the Bill. He referred to the single arbitrator. I would remind the House that we owe the invention of the single arbitrator, like the London County Council and other progressive blessings under which we live, in its original idea to noble Lords opposite, because the single arbitrator was brought in in the Agricultural Holdings Act of 1900, for which the Party opposite were responsible. Lord Onslow expressed some approval of the single arbitrator in words which I should have used if he had not done so, and then went on to express the view that the arbitrator would bring about a greater amount of litigation than arose at present. There is in the Bill, besides the provision dealing with the single arbitrator, a proposal to do away with the agreement in existing leases with regard to any arbitration that may be necessary. I am informed that these agreements, instead of leading to peace, often result in litigation, and that tenants and landlords when they come to a dispute, instead of at once proceeding to arbitration, often pass a long time contending between themselves, and even go to law on the subject, as to what the clauses in the lease in reference to arbitration really mean. I have heard of such a case in which the law-suit was carried not only through the ordinary Courts, but right up to your Lordships House, during which time, on account of the so-called agreement as to arbitration in the lease, the unfortunate tenant and landlord were waiting for an urgent question to be settled.

My noble friend then went on to refer to Clause 2, which deals with compensation for damage by game. Those who have had any experience of the shooting of game in this country know that in 999 cases out of 1,000 those questions are always settled by agreement between landlord and tenant. In my opinion that state of things will continue almost universally, notwithstanding this clause in the Bill. I agree with my noble friend who preceded me in this debate that there might be some difficulty with regard to compensation if allowance was not made for a previous arrangement between landlord and tenant whereby the farm was let at a lower rent because of the possibility of damage by game. It does seem that there is a possibility, as Lord Onslow pointed out, that when the arbitrator comes in and the valuation is made the tenant may possibly obtain double remuneration if he had in the first case received it in the shape of a reduced rent and subsequently received compensation for damage to crops. I do not know whether by noble friend behind me (Earl Carrington) would accept my suggestion, but I think that in these circumstances the clause might be deferred in operation for some time, so that landlords might come to some decision with their tenants as to whether damage by game was considered in the rent or not. If that course was adopted I think it would, to some extent, meet the objection of my noble friend Lord Onslow. Lord Onslow found some fault with the last two lines of sub-section (1) of Clause 3, with regard to the full manurial value of all crops sold off or removed from the holding. I admit that those lines might receive further consideration, but I would point out that this proviso—it is a very valuable proviso from his own point of view as governing the whole of the section regarding the freedom of cropping—was put in by a Conservative Member in the other House. It was obviously drawn up after full consideration and probably after consultation with landowners, and it was on that ground, I imagine, that His Majesty's Government accepted it. I fully admit that this Bill does not go so far as many ardent land reformers would wish, but surely that is no reason why your Lordships should not give it a Second Reading and pass it into law. As I have said, this

Bill is more moderate than any of the preceding Bills on this subject. I would draw attention to one important clause which received very considerable alteration during the passage of the Bill through the other House. I refer to the clause which gave the tenant the right of making certain improvements and receiving compensation for them without either the consent of, or giving any notice to, the landlord. All the substantial improvements were struck out in another place. The only one which remains under this clause is repairs to buildings, which my noble friend described to your Lordships in his opening speech; and even repairs to buildings are not put, as was as first proposed, under Part III. of the First Schedule of the Agricultural Holdings Act, 1900, for, as will be seen from the proviso, notice has to be given to the landlord. I could illustrate many other points in which this Bill is far more moderate than any of its predecessors.

I think your Lordships as landowners ought to welcome this Bill as a settlement of a long outstanding dispute, and for my part I cannot understand why any opposition to the Second Reading or to the passing of the Bill in its entirety should come from noble Lords opposite. I commend the Bill because I really think that the farmers will be content with it as a settlement of this question. I commend it also because it will in no way interfere with good landlords. I do not think there are many bad landlords. That you should bring in a measure which might have some detrimental effect upon a good landlord in order to punish a bad landlord may be a right or a wrong principle; but I noticed that during the somewhat lengthy debates on the Education Bill reference was continually made by noble Lords opposite, by noble Lords below the gangway, and by right rev. Prelates, to the local authorities. It was said that the great majority of the local authorities were the best and most excellent in the world, but that there were a few bad ones, and we were told that it was against those bad local authorities that we must safeguard ourselves and the schools. Now, that is the principle contained in this Bill. It safeguards the farmers from the problematical case of a bad landlord, and I do not think it goes any further than noble Lords on the other side of the House vehemently advocated over and over again in the case of the problematical bad local authority. I venture with some confidence to hope that your Lordships will pass the Bill in its entirety.

I know there was one clause which aroused considerable opposition — the clause with regard to compensation for disturbance. It is true that as that clause was originally drawn, whether in Mr. Lambert's Bill in 1895 or in the later Bill, it was wide and somewhat difficult to work. I pointed out in 1895 that the word "unreasonable" was a very difficult one to interpret, and I would remind your Lordships that in this Bill the words have been very materially altered. The words now are "good and sufficient cause." My noble friend Lord Onslow dwelt on the difficulty of defining those words, but he did not read on. The governing words are "and for reasons inconsistent with good estate management." I think that those words to a very great extent safeguard this clause from unreasonable interpretation, and I consider them a very valuable addition to the measure itself. The original compensation for disturbance in Mr. Lambert's Bill covered a much wider field and allowed compensation for a sentimental grievance. It also left to the arbitrator no direction as to the amount of damages to be paid in compensation to the quitting tenant, and therefore it followed that if the arbitrator took a partial view he might have penalised the landlord. But this clause very materially limits the action of the arbitrator, and limits the sum which the landlord has to pay. I think the noble Lords will see that that is a very material difference, and I imagine that in their opinion it is a substantial improvement.

As a rule this clause would never be put into operation, and if it were it would be against a man who had almost avowedly put himself in the wrong, who had almost avowedly said he was turning out his tenant for some cruel reason. I think that is a case that is likely very seldom to occur, and so far as this section is concerned I think your Lordships need have no fear that it will do any material damage. If I might presume to give advice to your Lordshps in this matter I would advise you to accept the Bill, in the first place, because the farmers of the country to a large extent desire it; in the second place, because of the very long agitation extending over a great period of time which there has been on these very difficult and technical subjects; in the third place, because these claims and far wider claims have been advocated on agricultural platforms during the past six years; and lastly, because considering the present composition of the other House, your Lordships will not be making a bad bargain in accepting this Bill.

THE DUKE OF NORTHUMBERLAND: My Lords, this is the first time that I have ever heard the fact that Bills have at various times been introduced dealing with a subject brought forward as evidence that there has been considerable agitation with regard to it. It is an abuse of the word agitation. There were one or two statements made by the noble Earl the President of the Board of Agriculture which I think should be noticed at once, and upon which I can speak with some special knowledge. I refer to the support which the noble Earl says he has obtained from skilled opinion in favour of his Bill. I cannot help thinking that it is rather an inconvenient custom that Ministers should come down to this House and narrate what has passed between themselves and deputations which have come before them. Your Lordships will not, and I am sure the noble Earl will not, suspect me of wishing to hint for a moment that his version of what passed was not absolutely fair and correct. Still, these conversations are very often taken in a different spirit by the parties, and I think it will be within the experience of your Lordships in other matters that those who interview Ministers come away and give a very different account of the impression left in their minds by what has passed than that which *bona fide* rests in the mind of the Minister.

The noble Earl mentioned three societies which had waited upon him at the Board of Agriculture. One was the Surveyors' Institution, another was the Land Agents' Society, and the third I forget. I could not find that he received much support from the Surveyors' Institution, and he told us nothing about the conversation of the other societies. With regard to the Land Agents' Society, I can say with absolute certainty that they do not approve of the Bill, and I must complain of the noble Lord's having mentioned these societies in a string, one of which he represented as having been more or less converted to his Bill without saying a word about the other societies, thus leaving the House, of course quite unintentionally, to draw the natural inference that the other societies were in favour of the measure. The Council of the Land Agents' Society passed a Resolution declaring that in the interests neither of landlords nor of tenants were the provisions of the Bill required, nor was there evidence of a demand for it on the part of those whom it affected. It is most extraordinary, if 70 per cent. of the farmers of England, as stated by the noble Earl, are in favour of the Bill, that the Land Agents' Society should be in absolute ignorance of the fact.

The noble Lord who has just sat down did not place it quite so high. He said there was a certain feeling in favour of the Bill, and that in his opinion a majority wished for it, but that is very different from 70 per cent. I should like to know what means the noble Earl has taken to ascertain this 70 per cent. of opinion. I admit that the noble Earl has been very active in trying to obtain it. He has travelled about the country very much. I hope he will not think that I am saying anything very offensive if I venture to suggest that he has been rather acting the part of the political commercial traveller. I will take an instance within my own knowledge. He came down to Newcastle, and was most cordial and most pleasant to everyone there, as he always is, and naturally the farmers were extremely glad to see him. Acting in the political commercial traveller line, the noble Earl said, "I have a little article in my bag which I am sure will commend itself to you. It is not an invention of my firm; it is another gentleman's patent, but we have taken it up, and here it is." Then he laid before the farmers this measure. I have great respect for the farmers of England, and especially for those in my own part of the country. They are hard-headed men; but I do not think they are capable of altogether understanding a measure of this kind, which is not without its intricacies, upon an occasion of that sort, merely with the opportunity they then had of dealing with it. But if I remember aright, the farmer who got up to propose or second the resolution in favour of this measure took care to say that he did not agree with a great deal of it. I am reminded of the story of a gentleman who, wishing to do his fellow creatures good, went to preach them a sermon in a Scottish church. At the end of his address he asked all who wished to go to heaven to stand up, and when they had all stood up, he then said—

> "Now anybody who wants to go to the other place will kindly stand."

No one rose for a time. At last one gentleman got up, and when the preacher said to him—

> "Do you really know what you are doing? Do you really wish to make the journey which I indicate?"

the answer was—

> "I have no particular leaning that way, but I do not like to see you standing alone, and you have come such a long way."

I have no doubt something of that spirit actuated the farmers of Newcastle when they gave the very limited amount of support to the noble Earl which he received. Really, my Lords, where does the support come from? It comes from the Central Chamber of Agriculture and the Farmers' Club. Do they really represent the feeling of 70 per cent. of the farmers of this country? Does anyone in this House believe it? For the rest, the noble Earl has the support of the thirty farmers of Essex, and, I believe, a deputation from Wiltshire.

THE EARL OF CAMPERDOWN: My Lords, like the noble Lords who have spoken I have no intention of opposing the Second Reading of this Bill, and I am sure my noble friend Lord Burghclere need not feel any anxiety on that account. The Bill is quite certain to be read a second time; the discussion that will take place upon it will be in Committee. But it is important to know whether this Bill which is now before us represents the whole mind of the Government on the very important question of agriculture, because this is, as we have been told, an entirely different Bill from the one which was originally introduced into the House of Commons. As the noble Duke said, the noble Earl in charge of this Bill has been acting the part of a political commercial traveller. From the moment that the Bill was introduced in another place the noble Earl made speeches in its favour and received deputations, and it was therefore impossible to know whether the Bill was a Government Bill or the Bill of a number of private Members. The noble Earl went down to Scotland on 10th October, and I think he learned something while in Edinburgh. But the Bill which he then recommended to the Scottish Chamber of Agriculture is not the Bill, or anything like the Bill, which is now before your Lordships. What I want to know is whether this Bill represents the whole mind of the Government on this question, or whether it is the first of a series of Bills. I think every one of your Lordships will be of opinion that it is most inadvisable that Bills should be perpetually introduced dealing with the relations between landlord and tenant. Agriculture, as we know, is at the present time in a precarious position, and it depends for its future largely on the good relations which exist between landlord and tenant. The prosperity of agriculture also depends on the amount of capital invested in the soil, and that again must necessarily depend on the confidence of the owners in the security of their investments. I maintain that the Bill will have a prejudicial effect on the relations between landlord and tenant, and that it will increase the cost of management of land by bringing in lawyers, arbitrators, and valuers. It forbids contracts and limits the application of the custom of the country. I put it to those of your Lordships who understand agriculture, and I know I am speaking to an assembly as well acquainted with that subject as any assembly which could be collected in this country, is it not the fact that the farmers of England look far more to the custom of the country than they do to any legislation that Parliament may pass? For that reason it seems to me to be a very dangerous policy to interfere with the custom of the country.

The noble Earl in charge of the Bill omitted to state a most important fact with regard to it. He described the Bill without informing your Lordships that it is intended to refer to leases as well as to yearly tenancies, and to apply to Scotland as well as to England. But I venture to say the difference in the agricultural circumstances of Scotland and England are such as to make it very difficult indeed for any one to comprehend those two countries in one Bill. If an illustration of this were wanted I would not ask for a better one than this Bill. When we reach the Committee stage I daresay I may have to trouble your Lordships with some Amendments and possibly with some remarks on the matters to which I have called attention.

In respect of Clauses 3 and 4, dealing with the method of cropping arable land, I would ask whether the words "arable land" include permanent pasture on a holding. This is particularly important, as the clauses affect Scotland. I will not labour that at this moment, but, in passing, let me say that most mistaken notions exist with regard to the systems of cropping which are inserted in leases. It is commonly supposed that a system of cropping is an arbitrary act of the landlord imposed on his tenant, whereas we who are familiar with nineteen-year leases in Scotland know perfectly well that the system of cropping is invariably the outcome of discussion and settled arrangement between the landlord and the incoming tenant before the lease is entered upon. The tenant would not think of cultivating his farm except on a recognised system. Let us suppose that a good tenant wishes for some reason to alter his cropping. In practice we know perfectly well that he has no difficulty whatever in doing so.

Reference has been made to bad landlords. It should not be forgotten, also, that there is such a such a thing as a bad tenant, a tenant who starves his farm, and as soon as it is ruined leaves it. It will be necessary to interfere with the procedure of such a tenant, while it will be more than ever essential for the landlord to watch more closely than hitherto the actions of his tenantry. Everyone knows, however, that the less interference there is on the part of the landlord with the tenant, the better it is for the good relations existing between them. The noble Earl said he proposed that there should be a year left before the expiration of the contract of tenancy, during which the tenant could replace the land in a state suitable for the incoming tenant. Does the noble Earl mean, when the course of cropping has been broken for several years, when the land has been cropped in any way the tenant has seen fit, and more especially under a lease, that one year is sufficient to reinstate the land in a condition suitable for an incoming tenant? That may be so in England, though not in the part of England in which I live. But I can assure your Lordships that it is not the case in Scotland.

The noble Earl told us of Chambers and associations of farmers who had approved of his Bill, but I notice that he said very little of his experience in Edinburgh. He learned a good deal while in Edinburgh, not merely with regard to this Bill but with regard also to a Small Holdings Bill with respect to which he was wise enough to say nothing there. At the meeting of the Scottish Chamber of Agriculture on 10th November, which the noble Earl attended, a Mr. Craig carried a resolution declaring that the Land Tenure Bill, as amended by the Grand Committee on Trade, contained provisions which it was not expedient to extend to Scotland. That was the opinion of the Scottish Chamber of Agriculture. In fairness I must add that in addressing the meeting the noble Earl said—

> "I understand that it is thought that the clause is not absolutely necessary in Scotland because the general tenure in Scotland is nineteen years."

But I notice that Scotland is, nevertheless, in the Bill. The noble Earl continued—

> "But I would ask you to think of your brethren in other parts of Britain who are not in such a good position as yourselves, and not prevent this portion of the Bill being carried."

A Scotsman generally thinks a good deal about himself, and I do not think the Scottish Chamber of Agriculture are likely to be converted to the noble Earl's view.

I would suggest that a Court instead of an arbitrator would be the better authority to determine the "good and sufficient cause" for getting rid of a tenant, the arbitrator coming in afterwards to assess the damages. I must call the noble Earl's attention to the method by which he proposes to calculate the compensation. The tenant, in addition to everything else, is to be entitled to compensation for the loss or expense which he sustains or incurs upon or in connection with the sale or removal of his goods, implements, produce, or stock. How can anyone say what is the amount of loss that a tenant sustains? Presumably there will be a sale, and the tenant will receive a certain sum as the produce of the sale, but "loss" means the difference between that sum and the sum that he ought to receive. I hope the noble Earl will endeavour to clear the point up in Committee; but I ask, how is the amount of loss to be ascertained? How can you say what amount a man ought to have obtained for his implements, produce, or stock? The day of the sale might have been a wet day; fifty different things might have happened. How anyone is to determine what a man ought to receive I am at a loss to imagine. Then I suppose "expense" refers to goods. What are goods? Does the noble Earl mean household goods? If so, let him say so. Did the noble Earl ever hear in any trade or business, or in any transaction, of a man being entitled to be paid the carriage of his goods? Those are practical points which I hope the noble Earl will consider between this and the Committee stage. I trust His Majesty's Government will give us an assurance that the Bill as now presented expresses their full and deliberate opinion on the subject of agriculture, because I am sure every well-wisher of agriculture would desire that there should be as few Bills as possible passed by Parliament affecting that important industry.

*VISCOUNT ST. ALDWYN: My Lords, if I venture to detain your Lordships with a few observations upon the Second Reading of this Bill, I can assure you that I do so with considerable diffidence. In the first place, I have not the official experience as President of the Board of Agriculture which has fallen to the lot of the three noble Lords who first addressed your Lordships; nor, on the other hand, can I claim to be the possessor of a great estate like the noble Duke behind me or the noble Earl who has just sat down. I am one of those humble persons who, I am afraid, are little regarded, according to what he has said, by the noble Earl the President of the Board of Agriculture, who have an estate of less than 10,000 acres. It is a small estate but it is my own, and I have managed it personally, as many landlords in England happily do, for nearly fifty years; and, therefore I do speak, if I may venture to say so, with some experience which perhaps has not fallen to the lot of all the Members of your Lordships' House, however large landowners you may be, and which certainly is not shared by many Members of the House of Commons, or by many persons who, whether belonging to a land law reform association, or banded together in other societies, talk very glibly of land law reform, while they know very little of the real relations between landlord and tenant in England, or what our land system really is.

The noble Earl the President of the Board of Agriculture commenced his speech by pleading that there had been a great change of opinion in certain quarters—he instanced, I think, the Surveyors' Institution as one—with regard to the merits of this Bill. I do not think that change has been on the part of the Surveyors' Institution. It has been in the Bill itself. This Bill is utterly different from the Bill which was introduced into the House of Commons. That was a measure apparently designed by its authors—I am not speaking, of course, of His Majesty's Government—to take as much as they thought safe at the moment of the property of the landlord and give it to the tenant, and practically to deprive landlords in England of control over their property. A great deal, no doubt, may be said as to defects in our English land system. I do not deny it for a moment. It may be capable of improvement in many ways, but this I think any fair-minded person must admit, that it has tided the country through a great agricultural crisis during the last thirty years. I am speaking of what I know pretty well—the condition of agriculture in the corn-growing districts in the south and east of England. I will venture to say that but for our English land system there would have been the widest possible distress, not merely among owners of the land or farmers of the land, but among the agricultural labourers. I believe whole tracts of country would have absolutely gone out of cultivation. I speak for a part of England where to my own knowledge rents have gone down more than 50 per cent. in the last thirty years, while the expenses of maintaining agricultural property have greatly increased; and I say that but for our English land system that would have been the unhappy result. What is that system? It is one under which the owner of the land practically does all the permanent improvements, erects all the buildings, provides fences, roads, and drainage, and does everything that is wanted for putting the farm into the condition in which a tenant may farm it with no expenditure of his own capital except for ordinary purposes of cultivation. And why do owners of land do this? Because of the magic of property, because of the pride and pleasure of ownership; and that pride and pleasure depend, I venture to say, upon the power of control of that property. If the Legislature should ever be so unwise as to deprive landlords of that control for a fancied advantage to their tenants or anybody else, there is one class that will suffer by it more than any other, and that is the class of English tenant farmers. English tenant farmers know this very well. Something has been said in this debate of the anxiety of English tenant farmers that this Bill should pass. I do not believe there was any anxiety that the Bill should pass in its original shape. English tenant farmers are honest men. They do not want the Legislature to give them anything of their landlord's property. They know very well what advantage they derive from his expenditure upon that property, and if this Bill had not been modified as your Lordships now see it, I venture to say it would not have had the support of any great number of English tenant farmers.

The Bill has been modified. It has been changed, I should think, out of recognition by its original authors, to the evident dislike of some of those extreme land reformers to whom I have alluded. If His Majesty's Government are satisfied with it, as I presume they are, if they look upon it as the reform they would desire to make in the law between agricultural landlords and agricultural tenants, so long as the Bill clearly states what it means, which it does not quite do now, I do not think that we on this side of the House need raise any very great objection to its provisions. But there is just this to be said. The relations between English landlords and their tenants as a rule are not of a business character. They are the relations of friendly neighbours. Is there any kind of industry or commercial dealing in this country in which a creditor would say to his debtor, "Oh, you have been unfortunate; I will remit to you half of your debt to me?" And yet everybody knows that in a bad agricultural year remissions of this kind are constantly made by English landlords. There are many other minor amenities between the two which, I think, as a whole place the tenant in a better position with regard to his business than any conceivable legislation could possibly place him. What Act of Parliament could empower a tenant who had contracted to give his landlord a fair rent for his farm to claim from that landlord half or perhaps the whole of that rent back again because he had had a bad season? I do not think that we ought in considering this matter entirely to neglect the possibility, for I think it is a real possibility, that in attempting to place tenants in a better legal position than that which they have hitherto occupied we may, so to speak, stiffen the relations between them and their landlords and thus do them more harm than we do good.

Now I come to the question as to what course I should like to see taken with reference to this Bill. By all means let your Lordships give it a Second Reading. The noble Lord, Lord Burghclere, advised us to do so, first of all because some of the farmers desire it. I have not seen in my part of England that the farmers take much interest in this Bill even in its present shape. The noble Lord then suggested that we should stop an agitation by giving the Bill a Second Reading. I have not observed in the district with which I am acquainted that any such agitation exists. Then he told us that if we did not pass it we should go further and fare worse, and he held out the terrors of another place. My Lords, the House of Commons have shown their good sense by converting this Bill from its original shape into that which it now assumes. The real reason why, in my opinion, we should give a Second Reading to this Bill, and, after it has been properly considered in Committee, pass it into law, is that there will be no harm in it at all.

Now let me deal with what I may call the two principal clauses of the Bill—the game clause and the clause giving compensation for proved loss on removal. First with regard to the game clause, I hope His Majesty's Government will consider the suggestion made to them by Lord Burghclere that the commencement of the Act should be fixed at such a date that it may be possible, where agreements have been made between landlord and tenant allowing something for anticipated damage by game, for those agreements to be reconsidered by both parties in order that a tenant may not be compensated twice over by that clause in the Bill. That seemed to me a fair suggestion which deserved consideration. Then I come to the more important clause dealing with compensation for loss on removal. Lord Burghclere recommended that clause to your Lordships by suggesting that it would probably never be put into operation. I think that is a most remarkable reason for passing any clause.

LORD BURGHCLERE: What I said was that it would only be put into operation in the problematical case of a bad landlord.

*VISCOUNT ST. ALDWYN: The noble Lord admits now that it will be put into operation sometimes.

LORD BURGHCLERE: If there is a bad landlord.

*VISCOUNT ST. ALDWYN: Bad landlords are very few and far between. I should like to know what sensible landlord during the last thirty years would have turned out a good tenant, whatever his politics or his religious creed, in such parts of England as I have been alluding to, where it is not easy to get a new tenant if, unfortunately, a farm is vacant. I speak as one who has never turned out an agricultural tenant in his life, although I have had tenants of all opinions in politics and religion, and by no means always good agriculturists. I would venture to suggest to your Lordships that a clause which is comparatively rarely put into operation ought, perhaps, for that very reason to be as definite as possible. Take the point which has been alluded to by the noble Earl Lord Camperdown. In his speech this evening the President of the Board of Agriculture referred to an interview which he had with some Scottish farmers on the subject of this Bill, and told us that they objected to this clause—that, I suppose, was in its original shape—because they held under nineteen years lease, and, therefore, they felt the clause did not apply to them in the same way as it did to yearly tenancies. But the clause does apply to leases. I invite your Lordships to look at the clause. It says—

> "Where the landlord, without good and sufficient cause, and for reasons inconsistent with good estate management, terminates or refuses to grant a renewal of the tenancy."

I suppose the words "refuses to grant a renewal" must mean a renewal at the termination of the lease, because a year to year tenancy is always terminated on one side or the other by notice to quit. Do His Majesty's Government mean that this clause shall apply to leases, although the noble Lord agreed with the Scottish farmers that they were in a different position from English farmers in that matter; and, if so, do they mean to treat leases on the same footing as a year to year tenancy? Anybody who is acquainted with the practice in this country knows very well that it might be fairly argued that a year to year tenancy, although it may be terminated by twelve months notice to quit on either side, is practically regarded on both sides as almost akin to a life tenancy. A lease for a term of years, on the other hand, is entered into by parties both of whom are well aware that the tenancy is open to reconsideration at the end of the term. Is there the same ground for compensation for loss on removal in the case of a lease for years in these circumstances as there may be, I admit, when a yearly tenancy is determined by an unexpected notice to quit? I thought that when this matter was under discussion in another place some Minister, speaking on behalf of the Government, had definitely promised that the question of leases should be reconsidered, and that in fact an Amendment should be moved in your Lordships' House dealing with this particular subject. The noble Earl did not allude to the matter in moving the Second Reading, but I hope that we may be made acquainted with the intention of His Majesty's Government before going into Committee.

Subject to the working of this clause being in some manner more clearly defined, and certain Amendments inserted in other clauses which would not take away anything that the Bill gives to tenants, but would merely make it more workmanlike in drafting and show more clearly what it means—subject to that I agree with the hope expressed by Lord Burghclere that the Bill may pass into law. I trust, as my noble friend Lord Camperdown has said, that we may take this Bill as representing the whole view of His Majesty's Government in the matter of dealing between English agricultural landlords and their tenants. I am aware that they have much wider and larger views on the general subject of agricultural land. They, I think, are pledged to changes in the law relating to the land which would increase the number of small holdings, which might give greater facilities for the building of labourers cottages and matters of that kind. I am quite sure that in anything which may tend to the real restoration of the population to the land they will find support on this side of your Lordships' House. But this Bill will have no such effect. If this Bill touches that question at all, it rather throws an impediment in the way by deterring a landlord from dividing large farms, or providing sites for labourers' cottages, on account of a possible liability for compensation to an existing tenant for his loss on removal. I trust that at any rate no further impediment will be imposed by legislation in the supposed interests of tenant farmers on the extension of small holdings, and the increase of good cottage accommodation in our country districts.

THE FIRST LORD OF THE ADMIRALTY (Lord TWEEDMOUTH): My Lords, in all the speeches we have heard to-night the great importance of agriculture in this country has been recognised. It is the greatest interest that we have, and the speeches that have been made have shown that Members of your Lordships' House are very much alive to the necessity of maintaining good relations between landlord and tenant, and of doing the best for agriculture to make it both productive and agreeable to landlord and tenant alike. The noble Viscount who has just sat down has expressed a desire, which I cordially re-echo, that this Bill may obtain a Second Reading. The question, I think, that we have to put to-day is not whether this Bill is perfect in detail, whether it cannot be improved in many places, but whether on the whole it will be useful in maintaining good relations between landlord and tenant, and have the effect of easing and improving the conduct of agriculture. The noble Viscount drew a very pretty picture of the relations which existed between himself and his own tenants.

VISCOUNT ST. ALDWYN: And in very many other cases as well.

LORD TWEEDMOUTH: I was going on to say that I believe the picture which the noble Viscount drew is one which is common throughout the length and breadth of the land, and especially in the case of Members of your Lordships' House. I can assure you that, as far as His Majesty's Government are concerned, what they wish to do is to level up to that high standard. I believe the good landlord will be little affected by the Bill. The object of the Bill is to raise the level of the standard of the bad landlord, and by legislation to obtain in that case the same advantages for the tenant as are now freely obtained from the good landlord. But, after all, I think the provisions of this Bill are only matters of ordinary estate management between a good landlord and tenant.

Now, what are those provisions? Clause 1 provides that the inherent excellence of the land should no longer be taken into account in cases where disputes arise. That is a provision which has been very much debated in the past, and which I think on the whole agriculturists are agreed should be abolished. The next provision is that there should be but a single arbitrator to decide in all these cases. That provision does not interfere with the ordinary practice which now exists of having a valuer on each side and an arbitrator to decide between them. The clause only comes into effect when there is a difference of opinion and when the Board of Agriculture has to intervene, and then the Board appoint a single arbitrator to decide between the disputants. That also appears to me to be a plan which is desirable, and which will save both time and expense.

I now come to the game clause. I do not wish to put any improper check on sport, but I think your Lordships will all recognise that of recent years there has been an enormous increase in winged game in this country. By all means let noble Lords who are fond of shooting have good sport and let them kill as many head of game as they can, but do not let them do it at the expense of the tenant, who at any rate to a certain extent feeds that game. The shooting tenant and the proprietor to a large extent feed the game, but great damage is from time to time done to tenants, and it is only fair that they should be compensated for that damage. Then I come to the provision that the land should be cultivated by the tenant to the best advantage. That I think is very clearly stated in the Bill. If the tenant exercises his rights under the section in such a manner as to injure or deteriorate the holding, or is likely to injure or deteriorate the holding, the landlord will be entitled to recover damages in respect of such injury or deterioration. Under the Bill I think the landlord is amply safeguarded, and will receive proper compensation if his tenant does not farm in a proper manner.

Then with regard to the question of compensation for unreasonable disturbance, there is no doubt that that clause as at present drafted does apply to leases as well as to year to year engagements. I myself am best acquainted with the nineteen-year leases, and I should like to suggest to my noble friend Lord Carrington that it might be well to consider whether we should not introduce certain provisions that would specially meet the case of nineteen year leases. As noble Lords know, of recent years the practice of nineteen-year leases has been a good deal modified in Scotland, and we are coming more to year-to-year agreements; but I think the case of the old nineteen-year leases ought to be considered. At the same time, I do think that if the tenant is turned out, or does not get his agreement renewed on insufficient ground, it is only fair that the loss to him should be made up by the landlord. I think the time when the Act is to come into operation is a very important matter. That, again, is a point on which my noble friend might be able to give some concession. I think that if the Bill did not come into operation until January, 1909, instead of January, 1908, that would give time for the consideration of the conditions under which the Act is going to work, facilitate its operation and make things go much smoother.

I should like to assure the House that the Bill, as it stands, does represent what the Government think is desirable in the way of adjusting the relation between landlord and tenant. They believe that by adjusting it in this way no inconvenience will be caused either to one party or the other; that in the case of the good landlord and the good tenant the Bill would hardly operate at all, and the present system would work as it does now. At the same time they believe that by introducing these provisions they will cause the bad landlord, if there be such, to have considerable pressure put on him to come up to the level of the good landlord; and from that point of view the Bill will help rural life in this country, do a great deal to sweeten the relations between landlord and tenant, and help landlord, tenant, and labourer alike throughout the length and breadth of the country.

*LORD BALFOUR OF BURLEIGH: My Lords, I think perhaps it would not be inconvenient, as a large part of the First Lord's speech was taken up with questions which perhaps more directly affect the northern part of the Island, that I should say a word or two after what has fallen from him. I am not going to discuss the question whether or not this Bill has caused unnecessary alarm among those interested in land; nor do I desire to touch upon the question of good and bad landlords, and the difficulties which the latter class may sometimes create. I recognise at once, and I think most of your Lordships, at any rate those who are connected with Scotland, will have recognised the reasonable and conciliatory way in which the noble Lord who has just sat down referred to some of the points upon which he touched. I was very glad indeed to hear him say that the Government were prepared to reconsider the question of applying what I still call the compensation for disturbance clause to leases. For my part I cannot see the slightest foundation for giving any compensation for disturbance to a man whose whole interest in the land has been for a period of years. If he has been taken as a tenant from year to year, and it has been going on for a long period of years without any revision, his position is allied to that of the English year to year tenant; but the great majority of those who hold land for farming in Scotland hold it on agreements for a period of years. I do not think that in my part of the country any man would look at a farm unless he was to have it for a period of years. If on both sides there are adult men able to make bargains, and they make a bargain for a period of years, what possible justification can there be for saying that at the end of that period, if by the lapse of time the agreement is terminated, there should be any compensation? Why should not the presumption be that unless an agreement is renewed the whole arrangement is to come to an end? Those are my views, but, of course, after the speech of the noble Lord, we shall wait with willingness to see what the proposals of the Government are.

Perhaps while I am on that point I may just say this additional word, that there was during the passage of the Bill through the other House, at one of the early hours of the morning when the House was sitting late to pass the Bill, a distinct promise given on the part of the Secretary for Scotland, in answer to a question by the Member for Leith, that questions affecting Scotland would be dealt with in this House. I understand that a distinct promise was given that the Government would put down Amendments. I am far from supposing that all these Amendments will be in favour of landlords. Some of them will no doubt be in the nature of applying this Bill to Scotland, and some, for all I know, may tell in favour of the tenants. Whatever they are, I urge very strongly on the noble Earl in charge of the Bill that they should appear on a very early date. I make this request on two grounds. We are anxious to consider the proposals of the Government perfectly fairly. We are anxious to see what they are in order that we may know what to say when the time comes; but it is even more necessary for us to have them at an early date than it would be if our advisers were with us in London. We shall have to refer some of the technical questions involved to those having technical knowledge of land management in Scotland, and it will take us a day or two to collect the opinions of those with whom we desire to act. Therefore, if this Bill is to go through Committee next week, as we understand it is, I urge strongly that before this week is out we should see the Amendments that are going to be suggested for our consideration.

The noble Lord the First Lord of the Admiralty gave us a very comforting version of how he thinks the provisions about the single arbitrator are intended to apply, but I confess that with my layman's mind I read the conditions of the Bill in a different way. I regard Clause 1 as enforcing the single arbitrator appointed by the Board of Agriculture upon every landlord and every tenant whenever they have a dispute. I see the noble Lord shakes his head, and I will defer any further remarks on that till I see the Amendments on the Paper. But I am not alone in the view I take. I have received many communications from those who are apprehensive on that point. As far as I am concerned, in forty-two years of estate management I have only once had to have reference to arbitration, and it is some satisfaction to me that the arbitrator gave my opponent less than I had offered him before entering upon the arbitration. I attach the greatest importance to the maintenance of the present system of friendly arbitration conducted by a couple of neighbours, one upon each side. It is of great importance for this reason, that about half of the holdings in Scotland are under £50 in value; some of them are as low as £15 and £20, and if you inflict expense which is not absolutely necessary on changes of tenancy, you will do harm not only to the landlord but to the outgoing and incoming tenants, who will have to share those expenses.

The noble Lord said the Bill provided ample safeguards against landlords' property being deteriorated under the cropping clause, and the remedy which he suggests we should rely upon is that when our land is damaged the outgoing tenant who has damaged it, or the tenant, whether outgoing or not, should be made to pay. I suggest that that is a very flimsy safeguard indeed. The man who does that sort of thing is generally a man of straw out of whom you can get nothing at all. This is one of those cases in which every practical man will tell you that prevention is better than cure, and that you ought to be able to stop mis-cropping and damage before it has gone so far as to cause detriment to the holding. It is obviously for the public interest, as well as for the interest of the landlord and tenant, that the soil of the country should be maintained in the highest possible state of fertility.

I have been asked to put one question to the noble Earl in charge of the Bill. I have been approached by gentlemen who are connected with the nursery and seed business. I think the noble Earl in his introductory speech alluded to a deputation he had received from these persons. I am bound to say I think they have a grievance if their apprehension is well founded, and I understand that the law officers of the Crown have said it is well founded, that they do not come under the compensation clauses of the Market Gardeners Act. If a nurseryman's business is interfered with, say, in the summer time, and he has only a right to six months notice to quit and cannot choose his own time for removing his stock, he is liable to suffer serious loss. The subject has been explained to me and I think there is a grievance, but I am not quite certain whether the amending of it is really germane to this Bill. I think what is required is an amendment of the Market Gardeners Act and other Acts read with it, but the only plea which I urge on the noble Earl is that he will allow me either to see himself with some of those with whom I desire to act, or the Permanent Secretary, to discuss whether it is possible to make an Amendment in this Bill which would be satisfactory to them, and if so, to endeavour to arrange the terms of such an Amendment with him. I think there is a grievance, though I have grave doubts whether it is possible to remedy it in this Bill. At any rate, I think both those for whom I desire to act and the Board of Agriculture would wish to come to an understanding in regard to the matter.

THE MARQUESS OF LONDONDERRY: My Lords, after the discussion which has taken place I do not think any one will contradict me when I say that it is advisable that this Bill should be given a Second Reading. The measure as it appears now is very different from the measure as it appeared in another place. There have been great changes. Clauses have been dropped and important modifications made. I should like to ask whether, in suggesting that the coming into force of the Bill should be postponed until January, 1909, the noble Lord, the First Lord of the Admiralty, was speaking on behalf of His Majesty's Government.

LORD TWEEDMOUTH: I said it would be considered, and that it probably would be so with regard to some of the provisions of the Bill.

THE MARQUESS OF LONDONDERRY: That is an extremely important point, and I should like to ask whether the First Lord was only expressing his own opinion or speaking on behalf of the Government.

LORD TWEEDMOUTH: The noble Marquess overstated what I said. I did not point to January, 1909, as the final date of the coming into force of the whole of the Bill, but only certain provisions of it.

THE MARQUESS OF LONDONDERRY: Then perhaps when we get to a later stage the noble Earl in charge of the Bill will point out to us which of the provisions it is proposed should not come into force until 1909. In spite of the alterations that have been made in another place, I cannot but think that the principle of the Bill is based upon the theory that a landlord and tenant cannot enter into a contract without the interference of the State. If a contract is not allowed to be entered into amicably between landlord and tenant it must tend to a certain extent to antagonism. I cannot help thinking that if this Bill should become law it will press very hardly upon good landlords.

There may be landlords who are good landlords, but who, owing to lack of resources at the moment, would not be able to pay the compensation demanded for improvements. Although considerable alterations have been made in many of the clauses of the Bill, I still think serious consideration will have to be given in Committee to those clauses.

I turn to Clause 1. It has been alluded to but not dwelt upon at any length. The omission of the proviso that in estimating the value of any improvement made by the tenant there shall not be taken into account the inherent capabilities of the soil, is to my mind an omission which ought to be remedied in Committee, because the absence of this provision is naturally a serious prejudice to the landlord. Under this Bill a tenant might obtain from a landlord compensation due to his having a good holding, and not to his own efforts or expenditure. Then Clause 2, giving compensation for damage to crops by game, opens a way for needless disputes between the landlord and the shooting tenant and the agricultural tenant. Unless some alteration is made to simplify this clause, there will be endless wrangling between those who at present are working well together.

But the most important clause, to my mind, is Clause 4, which gives compensation for unreasonable disturbance, and I cannot help thinking that it contains the germ of dual ownership, which many Governments at great cost have done their best to abolish in Ireland. The clause destroys freedom of contract. The tenant has a right to determine his holding, but the landlord can only get rid of his tenant at pecuniary loss. The noble Earl in charge of the Bill has said that there is a demand for this measure. I ask the noble Earl, by whom is the Bill demanded? He himself stated in the country that it would be impossible for him, when he brought the Bill forward, to get it through your Lordships' House if some Member could get up and say the tenant farmers of England did not care three straws about it. I have yet to learn that the tenant farmers do care three straws about the Bill. My noble friend Lord Camperdown has given a graphic description of the meeting at Edinburgh, and from what he said it is clear that the Bill received a very lukewarm reception there. Then we heard from the noble Duke behind me that at his Newcastle meeting the noble Earl's references to the measure were most chillingly received, and it was only the great courtesy and charm of manner of the noble Earl that prevented those North Country farmers expressing in forcible terms the views they held with regard to it. I find that in Lincolnshire, in spite of what the noble Earl said, the Chamber of Agriculture passed the following resolution—

> "That this Chamber, while welcoming the freedom of cropping clauses, consider the Bill will as a whole alienate the sympathy and help of the landlords from their tenantry, and lead to litigation only to the benefit of valuers and lawyers."

At a meeting on the borders of Buckinghamshire and Oxfordshire the noble Earl, with that generosity for which he is famous, stood the tenants champagne first and addressed them afterwards. A tenant farmer who was present on that occasion, subsequently wrote a letter to the local paper in which he said—

> "I desire to express my opinion on the Land Tenure Bill, a right which was denied to me at the one-sided and unfairly-conducted meeting last week at which Lord Carrington was the only speaker. When the Minister for Agriculture was first appointed, the idea was that he should find out the views of agriculturists, but here we have Lord Carrington cramming his views down our throats without giving us a chance of replying. Lord Carrington, seeing the tide was not in his favour, artfully filled up the time to the last moment, talking a lot of silly twaddle about Tommy Atkins's rations and hanky panky, and then rushed off, like a thieving dog out of a butcher's shop, to catch a train, he said, but I think, because he would not face the music."

This tenant farmer declared that his class did not want the Bill or "any Government tinkering" between themselves and their landlords, whom they looked upon as their best friends. I cannot help thinking that, despite the alterations that have been made in the Bill, it will create friction between owners and occupiers, and may be the means of putting an end to those friendly relations which have existed for so many years. In the district in which I live the tenant farmers do not care about the Bill for the simple reason that they know full well that if any friction arose between themselves and their landlords it is they, and not the landlords, who would suffer. The Bill would jeopardise good relations and discourage the outlay of capital. Look at the manner in which landlords have assisted tenants to tide over times of depression. This has been the result of the friendly relations existing between them, and in many directions there has been evidence of the hearty co-operation and goodwill between landlord and tenant. At present, agriculture is in a comparatively satisfactory condition, but depression may return, and, without good feeling and co-operation between landlords and tenants, how is it to be met?

*Earl FORTESCUE: My Lords, I have to ask for that indulgence which your Lordships alway extend to one who addresses you for the first time. My excuse for doing so must be that I am associated with a part of the country distant from that to which most of the previous speakers belong, a part of the country where nobody will say "Thank you" for a lease, and where families often continue on the same farms for generations on yearly agreements. I fully recognise the friendly spirit that characterised the speech of the noble Lord the First Lord of the Admiralty, but I think many of your Lordships must have been disappointed by the manner in which he passed over some of the objections that have been taken to the Bill on this side of the House: he gave no answer, for instance, to the suggestion that this Bill is more likely to benefit lawyers, valuers, and bad tenants than to benefit good tenants. A good deal has been said about the arbitration clause, in regard to which I hope His Majesty's Government will be prepared to give very serious consideration to the suggestions made by Lord Onslow. I think it is most important that the arbitrators who may be appointed by the Board of Agriculture under this Bill should be men of high character and of good repute in their localities, and that there should not be many of them. At present, in the West of England, the usual thing is for the umpire between the two arbitrators to be the local auctioneer. Under the provisions of this Bill the arbitrator appointed will have to give important and far-reaching decisions, which will involve considerable sums of money and lay down principles of wide application throughout the neighbourhood. It is most important, therefore, that they should be men who would take an independent line, and be guided by the justice of the case rather than by partiality for either party connected with it.

There is a small, but deserving class of farmers whom this Bill will benefit; those who, by some sale, find themselves transferred from a considerate landlord to an arbitrary and capricious one. Such farmers are, I think, deserving of consideration, but I do not think a man who deliberately takes a farm under a landlord who has a bad name deserves any consideration at all. Land hunger is a good platform cry, but practical people know that there is very little in it indeed. The character of every landowner and land agent for miles around is known in every market town, and if a man takes a farm on an estate belonging to a person who is notoriously arbitrary he does so with his eyes open, and is not deserving of special consideration. Practical people know that in the majority of cases farmers are paying little or nothing for the land, their rent being a moderate interest on the cost of the buildings and the equipment of the farm. It is important, therefore, that the clause relating to freedom of cropping should be carefully scrutinised when it comes before your Lordships in Committee, and I hope the noble Earl in charge of the Bill will be prepared to accept an Amendment limiting that freedom to what is consistent with good husbandry. The maintenance of the fertility of the estate in the public interest is not the least important of a landlord's duties; and as the clause now stands the freedom given by it might very easily be abused. As to tenants' improvements, if a tenant is in a position to lend money to his landlord, for that is what the sinking of tenants' capital on matters outside the cultivation of the land involves, he is in a position to make his own terms for the loan.

There are a good many small landowners still left in the West of England, and I should like to say a word or two as to the way in which this Bill will affect them. They do not, as a rule, get the best class of tenants, and they are less able than larger owners to protect themselves against an unscrupulous tenant. I think, therefore, that the Bill may deal hardly with small owners.

The noble Lord said that he thought this Bill, far from putting any difficulty in the way of creating small tenants, would, if anything, make it easier. I fail to see how a Bill which makes it more difficult to get land into hand is likely to promote the creation of small holdings; but apart from that, one great difficulty about small tenants is that these men, as a rule, have little capital beyond their muscles and their brains, and it is not uncommon, when a labourer, having saved a little money, and wishing to rise in the world wants to take a small farm, for him to bring with him to the estate office some friend or relative who is in a small way of business, and who is prepared to be put into the agreement as a joint tenant, and thereby to give greater security for the rent. But nobody is likely, after this Bill is passed, ever to take a joint tenant. As the Bill stands at present, the only chance that a landowner is ever likely to get of dealing with a farm without the possibility of interference by some outsider, is in the case of a tenant dying, or giving him notice, or failing; and the possibilities, except in the second of those events, are very much limited if you take in a joint tenant. And the same argument applies as affecting continuous occupation. Continuous occupation is a thing which everybody must wish to encourage, but nobody will be very much inclined to put in a son as a joint tenant with his father if the consequence is that it will be more difficult for the owner to deal with the farm in any way that may be desirable on the father's death.

I have to thank your Lordships very much for the indulgence you have accorded me. I only wish to say, in conclusion that though I do not think the Bill will do much harm, I fear it will do very little good, and those who, like the noble Lord opposite, anticipate that it is to inagurate a new Golden Age for agriculture will, I am afraid, be profoundly disappointed.

LORD HYLTON: My Lords, in the few remarks which I have to make I can undertake only to occupy a very few minutes of the time of your Lordships, but I think this is so peculiar a Bill that all of us, who have an opportunity of dealing with this subject, are entitled to say a few words upon it. I think everybody in this House is agreed that legislation in the past has always been brought forward by the Government of the day in accordance with the demand — the articulate demand—of some large body of public opinion and, despite what has been urged by noble Lords opposite, I think the House has quite made up its mind that this Bill has behind it no bulk of public opinion. The noble Marquess, Lord Londonderry, quoted just now what I think, with all respect for the noble Earl the Minister for Agriculture, is rather the typical point of view of the farmer with regard to this Bill. There were a few words in a letter from Mr. Rider Haggard to *The Times* the other morning which I should like to be allowed to quote as corroborating the view expressed in the letter read by the noble Marquess. Mr. Rider Haggard, in his letter to *The Times* of 16th November said—

> "The tenant farmer, in nine cases out of ten, would be the first to declare—indeed, he does declare loudly, although those who are intent on his salvation will not listen—that he is perfectly able to protect himself"

—that is to say in entering into a contract with his landlord for taking a farm, and dealing with his landlord and his landlord's agent during the period of his tenancy. This Bill seems to go on the assumption that the British farmer is blind, deaf, and dumb. But I think those of your Lordships who know anything of country life will be of a very different opinion. I doubt very much whether, in the history of this country, landlords have ever been able to dictate terms to their tenants; but I am perfectly certain of this—as I think previous speakers have mentioned—that during the last thirty years, certainly, they have not been in a position to do so. And the way in which British agriculture has managed to pull through all the difficulties and trials of the last thirty years has, no doubt, been due to the system of land tenure which at present prevails.

Now, my Lords, of course there may be —I do not deny that there are—in certain parts of the country hard cases; there are bad landlords here and there. But I am sure that the noble Earl the Minister for Agriculture will be the first to acknowledge that hard cases make bad law, and that it would not do, as a rule, to ask this House to legislate for the exceptions. I think the noble Earl said that the object of this Bill was to make bad landlords in future behave like good landlords do at present. But I am very much afraid that the tendency of the Bill will be rather this, that good landlords in future will be more inclined to follow the course pursued by the few sporadic bad landlords at present. I think the noble Earl would be surprised if he knew the amount of disturbance and anxiety that the introduction of this Bill has brought about in many parts of the country. There are a certain number of landlords—I do not say there are many, but there are a certain number — who, I am informed, have already given notice to a number of their tenants to quit their holdings, thinking it will save them an infinity of trouble and expense if they at once get back their property into their own hands. Those cases may be few in number, but there are many more landlords who, at this moment, are hesitating, or who are disinclined to make further capital expenditure, or to make improvements in their estates, because of their fear of the results of this Bill. And, although under the compensation clause, you may at present make the landlords pay compensation to tenants, eventually I am perfectly certain of this —that the compensation will come, not from the landlords but from the land, because the continual extension of the application of the landlord's capital to the land is, as every landowner is aware, absolutely necessary for the proper cultivation of the land, and for the prosperity on the land of the two other classes, the tenants and the labourers; and the result, I firmly believe, of this compensation clause will be to divert in future from the land portions of the landlord's capital which at present he is willing to put into it.

Now, my Lords, this Bill tears up all existing contracts. On that I will not dilate. But your Lordships know that in England at present the amount of the landlords' capital invested in buildings—as my noble friend Lord Fortescue has just mentioned—is a very considerable item, and that the rent that is paid is, in many cases, really only a small interest on the capital which the landlord has put into the farm. Your Lordships will all agree, I am sure, that, at the expiration of a farm tenancy, the outgoing tenant should receive full compensation for the unexhausted improvements that he may have made during his tenancy. But I contend—and I believe everyone in this House who knows anything of farming will agree with me—that, when the tenant goes out, he does receive, under the existing law, full compensation, and perhaps even more ample compensation than he is entitled to, for the improvements he has made.

Now, my Lords, a remarkable letter appeared in the *Spectator* of 1st December, from Mr. Munro Ferguson, who I think is still a Member of the other House, on the subject, not of this Bill, it is true, but of a very analogous measure, the Small Landholders (Scotland) Bill. Mr. Munro Ferguson said that in the event of that measure passing (and I think the same result will be likely to be brought about if the present measure passes) the question would be :—

> "Where will the money for land equipment come from in the future? It is now provided to an extent of many millions a year by landowners, who for various reasons — chiefly because all return from the immense capital irrecoverably sunk in the land depends on a continued expenditure—are willing, both in England and in Scotland, to make an unprofitable investment. Responsible ownership being abolished, the capital expended on the land being no longer regarded as private property, and the re-allocation of land by compulsory leasing being entirely at the discretion of Land Commissioners, owners' expenditure will obviously cease, as no man will care or can be forced to develop another man's property."

With regard to the clause in the Bill called the Compensation for Disturbance Clause, it is true the word "reasonable" has been struck out, and "good and sufficient cause" substituted. But the effect, it seems to me, is very much the same, and it will be extremely difficult for any arbitrator, unless he has received a full legal training, to say what that "good and sufficient cause" will amount to. I confess that personally I should have been prepared, if I could have found any measure of support on this side of the House, to have voted against the Second Reading, because I am perfectly certain of this— that it will cause a great deal of friction between landlords and tenants, who have hitherto lived upon the most friendly terms in all parts of the country. It can only benefit lawyers and valuers, and in the end I am convinced it will not be for the benefit of the farmers for whom it is ostensibly designed. On the other hand, the noble Earl the Minister for Agriculture, and the noble Lord the First Lord of the Admiralty, I fully admit have made very conciliatory speeches on the subject, and have held out hopes to us that certain Amendments will be put down in the Committee Stage, and therefore perhaps my original objection to seeing this Bill read a second time has been to a certain extent removed. I apologise to your Lordships for taking up so much time, but, to one who lives in the country on his own property, and who takes a great interest in topics such as this, the subject of this Bill cannot be indifferent.

Earl CARRINGTON: My Lords, in acknowledging the courtesy and the fairness of all the speeches made and criticisms passed on the Land Tenure Bill to-night, I hope I may be permitted to congratulate the noble Lord opposite, Lord Fortescue, upon the excellent speech which he has delivered on the occasion of his addressing the House for the first time. I do so with all the greater pleasure because we recognise in him the son of a very old friend, whose memory many of us cherish with feelings of respect and affection. I need not detain the House one moment, except to express the satisfaction that we all felt at the remarks of the noble Viscount, Lord St. Aldwyn, and at his assurance, as far as I understood him, that any Amendments that may be proposed will not take away the advantages to tenant farmers which we hope to confer by the Bill. We are very grateful for that, and I need hardly say that anything which we can do to facilitate the passing of the Bill, without interfering with its principles, we shall be only too happy and pleased to do. The noble Lord, Lord Balfour, asked me to put down the Amendments as soon as possible, and I can assure the noble Lord that that will be done with the greatest speed possible, and, as the Committee Stage will not be taken till next Thursday, I hope noble Lords opposite will have every facility for putting down or considering Amendments; and if the Board of Agriculture can be of any use in considering Amendments, I am your Lordships' most humble servant, and shall be only too pleased to do what I can in that direction.

The noble Lord also asked about the inclusion of nursery men in the scope of the Bill. I think it will perhaps be useful if he will allow me to confer with him as to that. While I am afraid I cannot hold out any great hopes of being able fully to meet the noble Lord's wishes, I will, at any rate, see how far the views of the London nurserymen can be met, and I would only now express once more the regret I have felt at not being able to extend to them the acknowledged benefits of this Bill. I have only now to thank your Lordships once more for your reception of the Land Tenure Bill, of which I have moved the Second Reading.

On Question, Motion agreed to.

Bill read 2^a accordingly, and committed to a Committee of the Whole House on Thursday the 13th instant.

BUSINESS OF THE HOUSE.

The Earl of CREWE: Before the House adjourns, I have a small correction to make as to the course of business, of which I have already informed the Leader of the Opposition. Owing to circumstances which I need not explain, I have found, since I made my statement, that it is not possible to take the Committee Stage of the Trade Disputes Bill before Wednesday, the 12th December. So that, leaving to-morrow as already arranged, we propose to take the Second Reading of the Plural Voting Bill on Monday, with the Town Tenants Bill as the Second Order, and on Tuesday, the 11th inst., the Town Tenants Bill and the Merchant Shipping Bill (Committee stage). Then the Trade Disputes Bill (Committee stage) will be taken on Wednesday. Otherwise, the list will stand as I stated before.

*The Marquess of LANSDOWNE: I did not catch what the noble Earl said as to Monday.

The Earl of CREWE: On Monday we shall take the Plural Voting Bill, the Town Tenants Bill being put down as the Second Order, because it is not quite easy to say whether we may be able to conclude the Second Reading of the Town Tenants Bill to-morrow (Thursday). I hope we may, and in that case I should ask your Lordships, if time permits, to begin the Committee stage of the Town Tenants Bill on Monday.

House adjourned at twenty-five minutes past Eight o'clock, till to-morrow, half-past Ten o'clock.

HOUSE OF COMMONS.

Wednesday, 5th December, 1906.

The House met at a quarter before Three o'clock.

PRIVATE BILL BUSINESS.

EDINBURGH SUBURBAN ELECTRIC TRAMWAYS ORDER CONFIRMATION BILL.

"To confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Edinburgh Suburban Electric Tramways," presented by Mr. Sinclair; read the first time; and ordered (under Section 9 of the Act) to be read a second time upon Thursday 13th December, and to be printed. [Bill 363.]

PETITIONS.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour; From Birmingham; Coalville; and, Taunton; to lie upon the Table.

RETURNS, REPORTS, ETC.

SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Council of the Borough of Darlington, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain classes of shops within the borough [by Act]; to lie upon the Table.

PENAL SERVITUDE ACTS (CONDITIONAL LICENCE).

Copy presented, of Licence granted to William Jones under the provisions of the Penal Servitude Acts, 1853 to 1891, to which are annexed conditions other than those contained in Schedule A of The Penal Servitude Act, 1863 [by Act]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Civil Service Superannuation Rules.

MR. YOXALL (Nottingham, W.): To ask the Secretary to the Treasury whether His Majesty's Government, in view of the hardship at present inflicted upon a deserving class of public servants by existing Treasury rules excluding early years of service in Government departments from reckoning for superannuation allowance, will amend the pension regulations so as to allow letter carriers, sorters, telegraphists, boy writers, boy clerks, and Customs and Inland Revenue officers to count service given by them between the ages of fifteen and twenty-one years as qualifying service for pension in all cases in which a certificate of fitness has been granted by the Civil Service Commissioners, and the service, in different grades, has been continuous.

(*Answered by Mr. McKenna.*) I cannot admit that any hardship is inflicted by the present practice, which is to allow temporary service, when followed by established service in the same capacity, to reckon for pension from the age of sixteen.

Deductions from Salaries of Temporary Clerks on Appointments as Abstractors.

MR. O'MALLEY (Galway, Connemara): To ask the Secretary to the Treasury whether, in view of the fact that only three clerks in Irish offices were subjected to a 10 per cent. deduction from their salaries as temporary clerks on appointment as abstractors, he will again consider the question of adjusting their salaries and refunding the deduction made; and whether he will state in what way the cases in which no deductions were made differed from the other three cases referred to.

(*Answered by Mr. McKenna.*) I am afraid I cannot add anything to the Answer which my hon. friend gave the hon. Member on the 23rd ultimo,† namely, that all the cases were fully considered on their merits, and that I see no reason for varying the decision arrived at.

Alleged Nomination of an Overseer at Londonderry.

MR. MACVEAGH (Down, S.): To ask the Postmaster-General whether the junior sorting clerk at Londonderry who has been nominated as overseer is the son of an appointed overseer at that office; whether the clerk in question has had experience; and whether the appointment can be reconsidered.

(*Answered by Mr. Sydney Buxton.*) The Question is not understood. There is no vacancy for an overseer at Londonderry, and no occasion has arisen for any nomination.

Petition of Worthing Postmen.

MR. JAMES O'CONNOR (Wicklow, W.): To ask the Postmaster-General whether he will cause a reply to be given to certain postmen at Worthing to a petition dealing with money due from November 1905, which was handed in on the 13th July and to which no reply has yet been received.

(*Answered by Mr. Sydney Buxton.*) I am having inquiry made upon the subject and will inform the hon Member of the result.

Portsmouth Naval Barracks—Court-Martial Room.

MR. BRAMSDON (Portsmouth): To ask the Secretary to the Admiralty whether, in view of the fact that a court-martial room exists in the newly-built Royal Naval Barracks at Portsmouth, he will state the reason why such room is not utilised for the purpose for which it was erected.

(*Answered by Mr. Edmund Robertson.*) Section 59 of the Naval Discipline Act requires that a court-martial shall be held on board one of His Majesty's ships or vessels of war. The so-called court-martial room in the Portsmouth Naval Barracks is used for courts of inquiry, committees, and numerous similar purposes.

Postal Arrangements at Glastrigan.

MR. HOGAN (Tipperary, N.): To ask the Postmaster-General if he is aware that the postal arrangements existing at Glastrigan, Borrisoleigh, county Tipperary, are inadequate for the requirements of the neighbourhood, as the post leaves at 11 a.m. each day, almost immediately after the incoming post has been delivered, and any letters after that hour have to be posted at Upperchurch post office, which is five miles distant; and whether, having regard to the business transacted in the locality, which is extensive and populous, he will take steps to have a post office erected at Glastrigan or, in the alternative, that he will alter the present arrangements so that the post will leave in the evening instead of at 11 a.m., and that he will institute a delivery and departure of letters on Sundays.

(*Answered by Mr. Sydney Buxton.*) I have recently made inquiry as regards the postal service at Glastrigan, and it appears that there is an interval of about two hours for reply between the incoming and the outgoing posts in the morning. I regret that, as the cost of the service at Glastrigan is already very high as compared with the amount of correspondence, I should not be justified in incurring the additional expenses necessary for opening a post office at Glastrigan or a Sunday delivery. I will inquire into the alternative suggestions made.

Post Office Telephone Rates.

MR. BRACE (Glamorganshire, S.): To ask the Postmaster-General if he has received communications from the Cardiff Chamber of Commerce, and other representative trade and commercial bodies, calling his attention to the inconvenience arising from the fact that the Post Office Department declines to quote inclusive rates for telephones on their system; and if he will favourably consider the desirability of granting inclusive rates for telephones on the Post Office system, and give an assurance to the trading public that no increase in the telephone rates on the Post Office system is intended.

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† See (4) *Debates*, clxv., 1193.

(*Answered by Mr. Sydney Buxton.*) I have received some communications on the subject referred to by the hon. Member. The agreement on 2nd February, 1905, relating to the purchase of the National Telephone Company's system, provides that until 1911 there shall be inter-communication between the exchanges of the Post Office and the National Telephone Company in the same exchange areas. A condition of this arrangement is that uniform rates of charge shall be adopted by the Post Office and the company for the use of the combined systems in each area. When inter-communication began last year in the Cardiff area, the company represented that, pending an agreement as to uniform rates of charge they were at a disadvantage owing to the fact that the Post Office rate for unlimited service was lower than the company's corresponding rate. My predecessor was unwilling to increase the amount of the Post Office unlimited service rate, and he therefore agreed to its suspension until a uniform system of charge could be arranged with the company. Negotiations are in progress for the settlement of the uniform charge for the use of the combined systems in the Cardiff area.

Postal Facilities between Ballymahon and Barry.

MR. J. P. FARRELL (Longford, N.): To ask the Postmaster-General if he will sanction the employment of an extra rural carrier between Ballymahon and Barry, and the erection of a pillar-box at the latter place which could be cleared at 5 p.m. each evening, and so obviate the present inconvenience, seeing that persons having to post letters in Barry have to send them a distance of two miles to get them posted.

(*Answered by Mr. Sydney Buxton.*) I will make inquiry on this subject, and will send the hon. Member an Answer.

Sunday Delivery of Letters at Esker.

MR. J. P. FARRELL: To ask the Postmaster-General if he would sanction a Sunday delivery of letters from Longford to Esker.

(*Answered by Mr. Sydney Buxton.*) I have no recent information on this subject, and I have therefore called for a fresh Report. On its receipt I will communicate with the hon. Member.

Pay of Rural Postmen.

MR. O'SHAUGHNESSY (Limerick, W.): To ask the Postmaster-General if he will take steps to recommend to the Select Committee appointed to inquire into the question of the grievances of Post Office servants the necessity for increasing the pay of postal messengers like John Condon, of Ballyhahill West, in the county of Limerick, who, for six days in the week, walks on an average six miles a day, and whose hours of duty are from 8.30 o'clock a.m. to 10 o'clock a.m., and for which he receives 4s. 6d. per week.

(*Answered by Mr. Sydney Buxton.*) The messenger referred to is a servant of the sub-postmaster of Ballyhahill and is not directly employed by the Department. It is a question for the Committee to consider whether such cases come within their reference.

Overtime Pay of John Condon, Postal Messenger, of Ballyhahill West.

MR. O'SHAUGHNESSY: To ask the Postmaster-General if he will inquire into the case of John Condon, postal messenger, of Ballyhahill West, in the county of Limerick, who applied to the head postmaster in Limerick for overtime for 3 years and 10 months when mails were late, but who has been paid for overtime for five months only, in view of the fact that he is positive as to the length of the overtime for which he worked and makes claim; and whether he will also take steps to see that postal messengers be informed in future that they are entitled to over pay when waiting for mails that do not arrive at scheduled time.

(*Answered by Mr. Sydney Buxton.*) An application has been received from Condon, and I will acquaint the hon. Member in due course with the result of the inquiry which is now being made on the subject.

Newcastle (County Down) Post Office—Accommodation for the Public.

MR. MACVEAGH: To ask the Postmaster-General whether his attention has been called to the inadequate accommodation provided for the public at Newcastle Post Office, county Down; and whether he can state when steps will be taken to provide an office suited for the requirements of the town.

(*Answered by Mr. Sydney Buxton.*) My attention has been drawn to the matter, and a scheme for the provision of a new office is now under consideration.

Sunday Delivery of Letters in London.

MR. BOTTOMLEY (Hackney, S.): To ask the Postmaster-General whether he will consider the possibility of establishing a morning delivery and evening despatch of letters for London on Sundays.

(*Answered by Mr. Sydney Buxton.*) The existing postal arrangements in London are, I believe, satisfactory to the large majority of the residents, and I am strongly opposed to the establishment of services which would materially increase the amount of Sunday labour.

Cost of Board of Trade Journal.

MR. CHIOZZA MONEY (Paddington, N.): To ask the President of the Board of Trade what is the gross cost of production of the Board of Trade Journal, including rent and the salaries or a proportion of the salaries of any of the officials largely concerned in its production; what is the revenue from advertisements and sales respectively; what were the numbers printed, sold, distributed gratuitously, and left in stock respectively for the last week in June and the last week in September, 1906; and what reasons have led the Board of Trade to raise the price of the journal from 1d. to 3d.

(*Answered by Mr. Lloyd-George.*) I regret that I am unable to give the particulars asked for by the hon. Member, but I may say that at present the journal does not pay expenses. The increase in price has been recommended by the Commercial Intelligence Committee.

Width of Platforms at Brondesbury Station.

MR. CHIOZZA MONEY: To ask the President of the Board of Trade whether he is aware that Brondesbury Station, London and North Western Railway, which is often crowded by passengers, is provided with platforms which, for the greater part, are only about seven feet in width; and whether he possesses any powers to compel railway companies to provide safe platform accommodation.

(*Answered by Mr. Lloyd-George.*) I have caused a copy of my hon. friend's Question to be forwarded to the railway company for their observations, and I will communicate with him on receipt of their reply. The Board of Trade have no power to require the improvement of the platform accommodation provided for the public at stations already in use.

Treatment of Habitual Drunkards.

MR. MOND (Chester): To ask the Secretary of State for the Home Department whether his attention has been directed to the statements in the Report of the inspector under the Inebriates Acts 1879 to 1900 [Cd. 3246], as to the uselessness and inhumanity of prison treatment for habitual drunkards; and whether, at an early date, he can see his way to introduce legislation to institute a more scientific and humane treatment of habitual drunkards than the present system.

(*Answered by Mr. Secretary Gladstone.*) I have had this Report under my consideration, and I am now in communication with the various stipendary and police magistrates on the subject of the treatment of inebriates who come before the Courts. The striking number of inebriates who exhibit mental defect brings this class of persons under the consideration of the Royal Commission on the Feeble-minded, and I think that any question of legislation must be postponed until after the Report of that Commission has been received.

Factory Surgeons' Fees.

CAPTAIN CRAIG (Down, E.): To ask the Secretary of State for the Home Department whether, in view of the coming into force on 1st January, 1907, of the Secretary of State's order extending the requirement of certificates of fitness to certain workshops, and the inadequacy of the sixpenny fee for professional services rendered by certifying factory surgeons, he will favourably consider the advisability of taking the necessary steps to fix the fee at one shilling and the definition of small employers as those who employ a total number of all ages not exceeding ten.

(*Answered by Mr. Secretary Gladstone.*) The privilege of having children and young persons examined elsewhere than at the factory on payment of 6d. each was given to the small employer by Parliament, and, though I have power under the Act of 1901 to vary the scale of fees, I should be reluctant by administrative action to take away the privilege which Parliament has granted. A small employer is defined, by Section 64 (3) of the Act of 1901, as one who employs less than five children and young persons, and legislation would be required to alter this definition. Both points shall be borne in mind in connection with any amending factory legislation.

Children's Courts.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the Secretary of State for the Home Department whether separate children's Courts are now held in any places besides Bath, Brimingham, Bolton, Bradford, Bury, Canterbury, Halifax, Hull, Lincoln, Manchester and Walsall; if so, in what new places are these Courts held; at which of these Courts probation officers are employed, stating whether they are paid or unpaid; and at which Courts policemen are partly or wholly employed as probation officers.

(*Answered by Mr. Secretary Gladstone.*) My hon. friend has omitted Tottenham from the list of places which have separate Courts for children. I am afraid I cannot, at the present time, add anything further to the reply which I gave my hon. friend last Wednesday on this subject†, or to the very full statement which I made on the 30th May last in answer to a Question by my hon. friend the Member for Berwickshire.‡ Nothing would be gained by collecting the information afresh after so brief an interval.

Policemen in Parliamentary Buildings.

MR. T. F. RICHARDS (Wolverhampton, W.): To ask the Secretary of State for the Home Department how many additional policemen have been concealed for special duty about the precincts of the House of Commons during the past ten days and the reason for their presence; whether these men are performing extra duty whilst so concealed; and, if so, whether they will be paid for the additional hours so employed.

(*Answered by Mr. Secretary Gladstone.*) No police have been concealed about the precincts of the House of Commons, but some additional men have been temporarily employed there in order to effectively carry out the requirements imposed by the Sessional Order. The additional men employed have not done extra duty, and there is, therefore, no question of extra pay.

Sickness at Rawul Pindi.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the Secretary of State for India whether he has received any reply to his cable of Thursday, 29th October, regarding the prevalent sickness at Rawul Pindi.

(*Answered by Mr. Secretary Morley.*) I have not yet heard from the Government of India, but I have asked them to let me have a report by telegraph.

Viceroy of India and Feudatory Princes.

MR. C. J. O'DONNELL (Newington, Walworth): To ask the Secretary of State for India, if he will lay upon the Table any orders or instructions of the

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† See Col. 60.

‡ See (4) *Debates*, clviii., 389.

Government of India in the Foreign Department, issued during the viceroyalty of Lord Curzon, requiring the feudatory princes who may desire to leave India to obtain the previous permission of the Viceroy; whether these orders are still in force; and, if so, whether Indian noblemen in British territory are subject to similar restrictions on their freedom.

(*Answered by Mr. Secretary Morley.*) The circular letter of the Government of India to local governments and administrations, laying down the procedure to be followed when Native chiefs proposed to leave India for purposes of foreign travel, was published in the Supplement to the Gazette of India of the 25th August, 1900, a copy of which is in the Library of the House of Commons, and it does not seem necessary to lay it upon the Table. The circular is still in force. It does not apply to other than Native chiefs.

Kingarve Mineral Lease.

CAPTAIN CRAIG: To ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Thomas Staples Irwin, of Dungannon, county Tyrone, got a lease on 2nd January, 1867, from the then Primate of Armagh of the minerals under the townland of Kingarve, parish of Drumglass, barony of Middle Dungannon, county Tyrone, and during the time this lease was in existence the Commissioners of Church Temporalities, by a deed dated 16th December, 1873, sold the royalties in the townland to another party without Mr. Irwin's knowledge, and that they again sold them to Mr. Thomas Staples Irwin by deed dated 29th July, 1880, and that when Mr. Irwin applied to the Land Commission, in whom the old church property is now vested, to be refunded the amount he had paid, he was refused; and whether he will take steps to secure the immediate repayment of the money.

(*Answered by Mr. Bryce.*) I am informed by the Land Commission that a statement on the subject of the Question was submitted to and fully considered by the Commissioners two years ago, when they informed Mr. Irwin and his solicitor that they could not admit any liability on their part in the matter.

Failure of the Potato Crop in Clifden Union.

MR. O'MALLEY: To ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the impending distress in the Clifden union owing to the failure in the potato crop, he will take steps to have the pier constructed in Clifden Harbour, promised under the Marine Works Act.

(*Answered by Mr. Bryce.*) As regards the partial failure of the potato crop, I beg to refer to the very full statement which I made in the House to-day in reply to the hon. Member for East Mayo.† As regards the proposed works at Clifden pier, on 31st October, the Government informed the County Council of Galway that they would endeavour to find the sum of £3,000, and to secure Treasury approval for its issue as a free grant for works at Clifden pier provided that the county council should guarantee that the balance, including the sum of £2,000 for an approach road, would be locally made up. It is understood that the county council are in communication with the Congested Districts Board as to plans and estimates, but they have not yet given any definite reply to the proposal of the Government.

Pomeroy Assault Case.

MR. MACVEAGH: To ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state on what grounds the police withdrew the summonses issued against William Kelly and Joseph Hughes for assaulting John M'Kernan at Pomeroy, county Tyrone, on October 28th; and whether any summons has been issued against the same persons for drunkenness and disorderly conduct.

(*Answered by Mr. Bryce.*) I am informed by the police authorities that the summonses referred to in the first part of the Question were not issued by the police but by M'Kernan himself. Before the hearing M'Kernan withdrew the summonses of his own motion. The police took out summonses against Kelly and Hughes for drunkenness on the date on which the alleged assault was committed, but the magistrate who signed the summonses afterwards cancelled them, stating that in the interests of the peace of the town it was better, now that M'Kernan had withdrawn his summonses, that there should be no prosecution against these men, having regard to the opinion which he entertained of their character.

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† See Col. 941.

Tannaghmore Labourers Cottage Scheme.

MR. CHARLES CRAIG (Antrim, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland on what grounds the application of James Lecock, of Tannaghmore West, near Randalstown, county Antrim, for a labourers cottage was passed over by the Ballymena Rural District Council in November, 1903; what is the cause of delay in proceeding with the new application of Lecock, lodged in September, 1905; and whether Lecock's cottage was condemned by the local sanitary authority as insanitary and dangerous more than three years ago.

(*Answered by Mr. Bryce.*) The rural district council included James Laycock's application for a cottage in an improvement scheme which was inquired into by an inspector of the Local Government Board on 25th July, 1905. The inspector, however, was unable to recommend the acquisition of the site proposed by the council, as four cottages had already been erected, or were in course of erection, on the holding of eighteen acres on which it had been selected. It is the case that Laycock's house was condemned by the medical officer of health as being insanitary on 12th August, 1904. Laycock has since lodged a further representation with the council, who have decided to propose a cottage for him in their next scheme, which the Local Government Board understand will be made shortly after 1st February next, the date by which representations under the new Act are to be lodged for the consideration of the council.

Miss M'Ghee's Retiring Allowance.

MR. McKILLOP (Armagh, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Armagh Board of Guardians, by resolution of 29th July, 1902, voted a retiring allowance to Miss M'Ghee, assistant teacher, and that in March, 1903, she was deprived of her employment, and from that period has received no remuneration or allowance; and can he say why the superannuation allowance has been withheld from Miss M'Ghee.

(*Answered by Mr. Bryce.*) I have already referred the hon. Member to my reply to the Question of the hon. Member for South Down on 28th June,† which gives full details of the matter in question. The guardians originally proposed to abolish the offices of schoolmistress and assistant teacher, and to send the workhouse children to extern schools. Conditional upon the adoption of this proposal, the guardians proposed to grant superannuation allowances to the then holders of the offices in question, of whom Miss McKee was the assistant teacher. The Local Government Board were unable to approve of the main proposal, and subsequently the guardians, despite that Board's protest, dispensed with Miss McKee's services, and the Board had no power to prevent them from doing so.

Hollywood Petty Sessions Clerk's Fees.

MR. McKILLOP: To ask the Chief Secretary to the Lord Lieutenant of Ireland whether the petty sessions clerk for the districts of Holywood, Bangor, and Newtownbreda returned any stamps in excess of the proper amount required in any of the years previous to 1906, or is it to be taken that in those years all licences were sufficiently stamped; will he state on what evidence the Registrar of Petty Sessions Clerks accepts the return of the petty sessions clerk of licences issued by him as being correct; and what steps the Registrar takes to check the truth of the return, to see that it accurately sets out all the licences, with the number of dogs on each licence, should the Registrar decide to make such a check.

(*Answered by Mr. Bryce.*) The Registrar of Petty Sessions Clerks informs me that the answer to the first part of the Question is in the negative. The Registrar personally inspected the register of dog licences for the district mentioned, and satisfied himself of its correctness. A list of the dog licences issued is sent to the local police who also inspect the register. If the number of dogs included in a licence should not agree with the number shown in the register the clerk would be at fault, but no such complaint has at any time been made against the clerk in question. The Registrar points out that the clerk could not possibly benefit in any way by the accidental omission to place the proper number of stamps on a licence, because he has to account for the number of dogs licensed according to the register, and not according to the number of stamps issued.

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† See (4) *Debates*, clix., 1118–9.

United States Beef Trust.

Mr. STEADMAN (Finsbury, Central): To ask the President of the Board of Trade if he will inquire into the operation of the beef trust of the United States, as regards the attempt which is being made by the trust to capture the whole of the wholesale and retail beef trade of the United Kingdom, and to raise the price of meat to the consumer.

(*Answered by Mr. Lloyd-George.*) I have received no information of such an attempt as that referred to, but the matter will be carefully watched.

Workmen's Compensation and Illegitimate Children.

Mr. BARNES (Glasgow, Blackfriars): To ask the Secretary of State for the Home Department if he can give the number of cases which have arisen under the Compensation Act of 1897 by which illegitimate sons or daughters, fathers or mothers, of injured workmen have been deprived of the benefits of the Act to which they would have been entitled but for the disclosure, during proceedings, of such illegitimacy.

Mr. BARNES: To ask the Secretary for Scotland if he can give the number of cases in Scotland which have arisen under the Compensation Act of 1897 by which illegitimate sons or daughters, fathers or mothers, of injured workmen have been deprived of the benefits of the Act to which they would have been entitled but for the disclosure, during proceedings, of such illegitimacy.

(*Answered by Mr. Secretary Gladstone.*) I will answer this Question on behalf of the Secretary for Scotland as well as on my own behalf. I am sorry that I have not, and know no means of obtaining the information asked for by the hon. Member.

Endowed Schools—Appointment and Dismissal of Masters.

Mr. BUTCHER (Cambridge University): To ask the President of the Board of Education in how many new or amended schemes for endowed schools issued during the last three years the appointment and dismissal of the assistant masters is vested in the head master solely, in the head master subject to the approval of the governing body, or in the governing body solely, acting on the recommendation of the head master; and, in particular, why in certain cases no provision is made for protecting the assistant masters from arbitrary dismissal.

(*Answered by Mr. Birrell.*) There are twelve cases in which the appointment and dismissal rest solely with the head master. There are also three girls' schools in this category. There are twenty-nine cases in which the appointment and dismissal rest with the head master, subject to the approval of the governing body. There are also five girls' schools in this category. There are four cases in which the head master has sole power to appoint, but can only dismiss with the approval of the governing body, and there is one girls' school in this category. There are five cases where the appointment rests with the head master, subject to the approval of the governing body, and where the governing body dismiss on the recommendation of the head master. There are ten cases in which appointment and dismissal rest with the governing body on the recommendation of, or after consultation with, the head master. There is only one case in which appointment and dismissal rest solely with the governing body. As regards the concluding paragraph of the Question, I am not sure what the hon. Member means by the word "arbitrary"; but I must remind him that the Endowed Schools Act, 1869, Section 22, makes it imperative that every scheme shall provide for the dismissal of every teacher "at pleasure," adding, however, "with or without a power of appeal in such cases and under such circumstances as to the Commissioners" (now the Board of Education) "may seem expedient." In all cases which come up for re-consideration, and in all new schemes, the Board's present practice is, generally speaking, to insert provisions requiring the approval of the governing body in all cases where the appointment or dismissal is vested in the head master.

Aberdare National Schools.

SIR WILLIAM ANSON (Oxford University): To ask the President of the Board of Education what steps he proposes to take to ensure that the local education authority will carry out their statutory obligation to maintain and keep efficient the Aberdare Town national schools by paying the salary of the head teacher during the months of September and October, and during the first half of November of the present year, and that the same authority does not establish a different scale of salaries for council and voluntary schools within their area.

(*Answered by Mr. Birrell.*) No salary seems to have been in any sense due to the head teacher of the school in question during September. The head teacher only commenced any teaching duties in the school on 1st October. His appointment on that date had not, however, been approved by the local authority, and, therefore, his services in the school during September were not services rendered to the local authority. The appointment of this head teacher was sanctioned by the authority as from 1st November, and the authority are paying the salary of the head teacher as from that date. I do not, therefore, see any ground for intervention on the part of the Board of Education. As regards the concluding paragraph of the Question I must ask the hon. Baronet's attention to the penultimate paragraph of the reply given by me on 26th November last to the hon. Member for Marylebone (East),† to which I can as yet add nothing.

Scotsmen in the Army.

MAJOR ANSTRUTHER-GRAY: To ask the Secretary of State for War whether he can state the number of Scotsmen who have joined the Army during the last twelve months.

(*Answered by Mr. Secretary Haldane.*) The number of recruits raised in Scotland during the year ended 30th September last was 3,782. It is impossible to say how many of these men so recruited are Scotsmen; but, on the other hand, it must be remembered that many Scotsmen enlist in England.

Bulford Camp Hospital Accommodation.

CAPTAIN FABER (Hampshire, Andover): To ask the Secretary of State for War for what number of men is there hospital accommodation at Bulford Camp, and whether the accommodation is permanent.

(*Answered by Mr. Secretary Haldane.*) The present accommodation at Bulford is 148 beds. The hospital is a temporary one, and is occupied pending the erection of a new hospital at Tidworth. The ultimate disposal of the present buildings is under consideration.

Hospital Accommodation at Tidworth.

CAPTAIN FABER: To ask the Secretary of State for War are plans prepared for the new hospital accommodation at Tidworth; when will work be begun, and when is it expected to end; and for what number of men will it be.

(*Answered by Mr. Secretary Haldane.*) The scheme for hospital accommodation has been approved, and the plans are being pressed forward to enable the work to commence early next year. It is hoped that the service will be completed before the end of 1907, and that a number of the buildings, including wards, will be available within a few months of the date of commencement of work. The proposed accommodation provides,—1. A general hospital for 181 officers and men. 2. A families hospital for thirty-one women and children. 3. An infectious hospital.

Medal for Quartermaster-Sergeant William Pettigrew, late 52nd and 77th Regiment.

SIR SEYMOUR KING (Hull, Central): To ask the Secretary of State for War whether he will state on what, if any, principle the award of the meritorious service medal is made in the Army; whether his attention has been called to the case of Quartermaster - sergeant, William Pettigrew, late 52nd and 77th Foot, who served for twenty-one years, 133 days, and was present as a corporal in the 52nd through the whole Siege of Delhi and when General Nicholson fell, has the good conduct medal, and was for six years quartermaster-sergeant of the 77th Regiment, to which he was transferred after the Mutiny and retired in 1871, being now seventy-seven years of age, but has received no medal; whether all officers who fought at Lucknow and Delhi were allowed two extra years to count for pension and the rank and file nothing; why the claims of this veteran have been overlooked for thirty-five years and subordinated to those of juniors, as for instance of a sergeant-major in the Worcestershire Regiment, who was born in the year of the Siege of Delhi, and was awarded a medal in 1905 whilst still on the active list; whether any records of claims to decorations or honours among the rank and file are preserved at the War Office; and who is responsibe for bringing them forward for attention in due course.

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† See (4) *Debates*, clxv., 1246–7.

(*Answered by Mr. Secretary Haldane.*) The principle on which the meritorious service medal and annuity are awarded was explained on the 29th ultimo in answer to a Question put by the hon. Member for South Belfast.† My attention has been drawn to the case of Quartermaster-sergeant Pettigrew. He did not apply to have his name noted till the 1st May last, and there has been no vacancy since that date in his late battalion to which he could have been appointed, even if his claims were considered stronger than those of other candidates. The records of soldiers are preserved with their regiments while they are serving, afterwards at Chelsea Hospital, and finally at the Public Record Office. The claim to this decoration must be put forward by the man himself and be supported by his commanding officer.

QUESTIONS IN THE HOUSE.

Native Recruiting in Portuguese East Africa.

MR. MEYSEY-THOMPSON (Staffordshire, Handsworth): On behalf of the hon. Member for Gravesend, I beg to ask the Under-Secretary of State for the Colonies whether he is aware that Lord Selborne has given authority for the publication of the correspondence relating to the applications of groups of mines and associations in the Transvaal for facilities similar to those requested of Portugal by this Government for the Robinson group of mines for recruiting natives in Portuguese East Africa; whether the publication of this correspondence will be made at once; and whether the Portuguese Government decline to give special facilities to any single mine or group of mines on the basis of unequal treatment.

THE UNDER-SECRETARY FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The Secretary of State understands that the Johannesburg Chamber of Mines is publishing the correspondence which it has had with Lord Selborne on the subject. Negotiations with the Portuguese Government are now proceeding, and it is not desirable to make any statement as to the course which they have followed up to the present; nor is the Secretary of State prepared to publish Papers until the negotiations are completed.

MR. MEYSEY-THOMPSON: Did Lord Selborne sanction the publication of this correspondence?

MR. CHURCHILL: Lord Selborne has given his permission to the Chamber of Mines to publish the correspondence they have had with him. Therefore the publication of the correspondence is a proper action for the Chamber of Mines to take. But I do not agree that that fact in any way renders it necessary for His Majesty's Government to publish Blue-books except at such periods as may be convenient, and at such moments as they may be desired to give information to the House of Commons.

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† See Col. 280.

MR. MEYSEY-THOMPSON: May I ask the hon. Gentleman whether he will publish the correspondence as soon as possible?

MR. CHURCHILL: I am not at all convinced that the correspondence is of sufficient importance to figure in a Government Blue-book.

Liverpool Telegraphists' Holidays.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby): I beg to ask the Postmaster-General whether, as a result of negotiations between the Department and the Postal Telegraph Clerks' Association some years ago, a compromise was arranged upon the holiday question; whether, on condition that the staff took a portion of their annual leave, with compensation days for Bank Holidays, in the winter months, the staff were promised that the remainder of their holidays should be granted between the months of March and October (inclusive); whether a guarantee was given to the staff at Liverpool that the bulk of the holidays should be evenly distributed over these eight months; if so, whether this arrangement is to be broken by reducing the number on leave between June and September (inclusive); and whether he will inquire into the circumstances in view of the conditions of the compromise.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): In 1897 the telegraph staff at Liverpool accepted the arrangement, which was subsequently adopted in other places, that the greater portion of the annual leave might be taken in the eight better months of the year, the remaining portion being taken between November and February. There was no promise or arrangement that the annual leave should be distributed equally over the eight months. In consequence of the great pressure of telegraph work from the 15th of June to the 15th of September and the excessive overtime that would otherwise have resulted, an even distribution is not practicable, but as little change as possible has been made.

Irish Potato Crop Failure.

MR. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is now in a position to make a full statement as to the result of inquiries conducted by the Irish Government into the extent of the failure of the potato crop in Ireland this year; whether, in some districts, the potatoes will be exhausted before the 1st of January, and there will be no seed fit to be planted; whether the Irish Government propose to take any special steps to deal with the situation and, if they do, what measures they have in contemplation; whether any special investigation has been made as to the causes of the failure, and the possibility of taking effective measures against failure of the potato crop in future years; and whether the Irish Government propose to publish any special Report on this subject.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen): The result of the inquiries made by the Irish Government into the failure of the potato crop in Ireland may be summed up as follows—omitting counties in which the failure has not been serious and will not create any special demand for relief. I regret to say that in the counties of Donegal, Sligo, Mayo, Leitrim, Roscommon, Galway, Clare, Kerry, and the West Riding of Cork, there has been a failure in the potato crop which, varying from place to place, is, except as presently to be stated, approximately two-thirds, and in some favoured places, three-fourths of an average crop. The quality of the potatoes is much below the average, but the proportion of small potatoes is relatively large, and that of blackened or diseased potatoes relatively small, as compared with other "blight" years. In certain areas, especially in parts of Mayo and Galway, the crop is below half the average, and in a considerable part of the Union of Belmullet it has been almost a total failure. On the other hand, the harvest of other crops has been a good one, and the season, except as regards potatoes, has been favourable for farmers. Live-stock are in good demand at high prices, and the fishing has in most places been good. The Department of Agriculture, after a special investigation, have arrived at the conclusion that the causes of failure, apart from the bad weather which was favourable to blight, are chiefly to be found in a neglect of spraying or of spraying in the best manner, and in faulty methods of cultivation. Except possibly in the Belmullet Union it is believed that the potatoes will not be exhausted till much later than January, and happily the crop no longer forms the sole food supply of the Western peasantry. The Government have under consideration the question of the sufficiency of the seed supply for next season's planting, and at a suitable time will make a further statement. The Irish Government are unwilling to contemplate exceptional procedure for the relief of distress, since experience has shown that demoralising results follow special measures which are not absolutely necessary to save life, and they consider that the Local Government Act lays down a procedure which should be adhered to. The union is primarily responsible; and the county council, who have the best means of knowing the circumstances of the different unions within the county, have it in their power to supplement the efforts of those unions which cannot, without aid, extend the necessary relief to the inhabitants of their area. If a county council declines to put the Act into force the Government must suppose that in the opinion of the council the circumstances of the unions in the county do not call for special procedure. In all cases where the Act is made operative the circumstances will be carefully watched by the Government, and if necessity for Government help is apparent the Government will not hesitate to follow the procedure of 1905, and will give substantial assistance to those unions which are unable to bear any appreciable addition to their rates. The Government desire also to see public works of permanent utility, which in any case they desire to execute, deeming them to be desirable on their own merits apart from any question of distress, begun at the earliest possible moment in several of the coastal districts where distress is most to be apprehended. For most of these funds are available under the Marine Works Act, and as to some a decision has not yet been finally reached, though it is hoped this may very soon be done. The general question of preventing the recurrence of scarcity in the Western districts has engaged the earnest attention of the Government, and a general scheme has been prepared by the Department of Agriculture. The funds at their disposal for this purpose, however, require to be supplemented if this scheme is to be carried out in its entirety. At present the amount available each year for agricultural work in the congested districts amounts to £7,000, and it seems doubtful whether an increased allocation of funds for this purpose from the Department's endowment can be looked for at present. The Government are, however fully sensible of the importance of carrying out measures which will avert the recurrence of distress in the districts which usually suffer from it, and they are considering whether such a Report as is referred to in the latter portion of the Question can be prepared. My hope is that scientific inquiry may do much to improve the agricultural methods in use in Ireland, and may perhaps succeed in getting rid of the potato blight altogether.

Mr. DILLON asked whether the defective spraying was not due to the neglect of the Board of Agriculture since they took over that part of the work of the Congested Districts Board, and whether the right hon. Gentleman would consider the desirability of preventing the Department from paying away any portion of the scanty funds to private associations such as the Agricultural Organisation Society, when admittedly they had not funds enough to carry out most essential works in the West of Ireland.

Mr. BRYCE said he had no reason whatever to think that the neglect of spraying was the fault of the Board of Agriculture, which had, in fact, issued the directions for spraying. The reason why spraying had not been more resorted to was partly that the people were disheartened by the wet weather, and partly because the previous season was so good that they had no apprehension of the danger of neglecting to spray. The question of the Agricultural Organisation Society's subsidy was being looked into. He hoped it would be possible from time to time to make statements with reference to public works to be undertaken.

Mr. VINCENT KENNEDY (Cavan, W.) complained that the inspector visiting one district in Cavan simply called at one or two houses along the roadside in order to ascertain the amount of distress that really existed.

MR. BRYCE said he believed the inspectors had done their best to ascertain the amount of distress and to deal with it. If, however, the hon. Member had any details he could give him he would cause inquiry to be made into them.

MR. SWIFT MACNEILL (Donegal, S.): Is the right hon. Gentleman aware that the Vice-President of the Agricultural Department is a gentleman who has the profound distrust of the Irish Party?

Corrib Salmon Fishery.

MR. GWYNN (Galway): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the owner of the Corrib salmon fishery at Galway has for some time past been discharging loads of stone into the river at points chosen so as to concentrate the current in a few deep passes and thereby facilitate netting operations; and that the consequent quickening of the current prevents fishing boats from reaching the landing quay at low tide, and thereby injures their access to market; and, if so, whether the Irish Government will take steps to prevent further interference with the natural course of the river and to remove the obstructions which have been created.

MR. BRYCE: The Department of Agriculture and Technical Instruction have been informed by the Clerk of the Galway Board of Conservators that he is not aware of any action taken by the owners of the Corrib salmon fishery or by any other person which is calculated to alter the current of the river, or in any way to hinder fishing boats from reaching the landing quay at low tide or otherwise. The clerk states that he has interviewed several of the leading fishermen on the subject, none of whom are aware of any change of current which would affect landing. I may add that in cases in which there is any obstruction to navigation, the matter is not one for the Irish Government to deal with, but falls, I believe, within the province of my right hon. friend the President of the Board of Trade.

MR. GWYNN: Will the right hon. Gentleman further inquire into this matter?

MR. BRYCE: If the hon. Member will see me I will give him privately some information on this matter.

Irish School Building Grants.

MR. DILLON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is proposed to take any portion of the sum to be voted for school building grants in Ireland out of the Development Grant.

MR. BRYCE: I beg to refer the hon. Member to the Ireland Development Grant Estimate for the current year, from which it will be seen that a sum of £15,000 has been voted for national school buildings. It is explained in the note to Sub-head C that this amount is the first instalment of the grant of £70,000 from the Ireland Development Grant towards the cost of rebuilding necessitous national schools, and this sum is supplementary to the provision for National Education buildings made by the ordinary Estimates. As to the latter, a vote of £20,000 has been taken for the current year, under Class I., Vote 14, Public Works and Buildings.

MR. DILLON: Is the right hon. Gentleman aware that when the Development Grant was set up a promise was made to the Irish Party that they should be consulted as to its application. Has that promise been carried out?

MR. BRYCE said that happened in the days of his last predecessor but one. He was doing his best to apply the grant to the most useful purposes.

MR. DILLON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the peculiar circumstances of the case and the intense interest which has for a long time existed in Ireland on the question of school building grants, he will consent to lay upon the Table the Report of the Committee which sat on this subject in 1902, and the correspondence which has passed between the Treasury, the Irish Government, and the Commissioners for National Education for Ireland, on the subject of school building grants from 1900 to the present date.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury, for Mr. MCKENNA): The Report referred to was a confidential document prepared for the information of the Treasury. The late Government decided that no action should be taken upon it and that there would be no advantage in publishing it. In all the circumstances my hon. friend sees no reason for varying this decision. For a similar reason he is not prepared to lay on the Table the correspondence since 1900, especially as much of it is now out of date and its publication would not, in his opinion, serve any useful purpose.

MR. DILLON: I should like to ask the Chief Secretary if the Irish Government have any power whatever over this matter of Irish education, or are we to be oppressed and our schools ruined by the Treasury?

MR. BRYCE: The Irish Government, so far from being indifferent, have been giving constant attention to this matter. Hardly a week passes without it engaging our attention.

MR. DILLON: I did not say the Irish Government were indifferent. I asked if they were powerless? Do they accept the responsibility for the present situation in Ireland in this matter?

MR. BRYCE: The hon. Gentleman knows perfectly well that the National Board have asked for money, and that the Irish Government have endorsed their request, but that the ultimate decision rests with the Treasury.

MR. DILLON: With the result that for ten years our schools have been falling into ruins. It is an absolutely intolerable state of things.

MR. DILLON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to that portion of the Report of the Commissioners of National Education in Ireland, which deals with school-building grants, in which it is stated that the controversy on this subject between the National Board and the Treasury has now lasted for ten years, that the present position is deplorable, and that it would require a sum of £100,000 annually for five years to enable the Board to deal with the large number of cases that have accumulated in consequence of the practical suspension of grants for the last four years; and whether, in view of the feeling which has been aroused in Ireland on this matter, he will make a full statement of the present situation, including the amounts which the Treasury has agreed to place on the Estimates for school building grants during the next four years.

MR. RUNCIMAN: I understand that my hon. friend has seen the statement in the Report of the Commissioners of National Education referred to, but he is not aware of the basis of the figure given. The present position is that the suggestions of the National Education Board as regards standard plans for the future have been received by the Treasury through the Irish Government, and are now being examined on behalf of the Treasury. In the meantime the Commissioners have authority to submit urgent cases, with details of requirements in each case, for consideration on their merits. The statement that the grants have practically been suspended for the last four years cannot be admitted, as the figures of expenditure are: 1902–3, £33,280; 1903–4, £13,142; 1904–5, £18,785; 1905–6, £28,007. Provision is also made in the Estimates of the current year for £20,000, in addition to £15,000 from the Development Grant. The Treasury has agreed, on the representation of the Irish Government, to place a sum of £40,000 for this purpose on the Estimate for Public Works and Buildings, Ireland, 1907–8, but the amount of the provision for later years has not been decided on.

*MR. DOLAN (Leitrim, N.) pointed out that while £1,500,000 was spent annually on the police in Ireland only £1,500,000 went to education, whereas in England only £2,500,000 was expended on police, and £13,000,000 on education.

County Donegal Evicted Tenants.

MR. MCVEIGH (Donegal, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Estates Commissioners has been called to the case of John O'Gorman, who was evicted from his farm on the estate of Messrs. Campbell and Gledstane, near Convoy, county Donegal, in April 1898; is he aware that this farm is now in possession of a planter named Russell, who is willing to take compensation and give up the farm; and whether he will advise the Commissioners to send down an inspector to inquire into the whole matter, so that O'Gorman may be reinstated in his former holding.

The hon. Member had also given notice of the following Questions:—

To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Estates Commissioners has been called to the matter of Andrew Conaghan, who was evicted from his farm on the estate of Mr. Bustard, at Carricknashane, near Castlefin, county Donegal, in May 1897; and, if so, whether they will send down an inspector to inquire into Conaghan's case, with a view to reinstating him in his farm before sanctioning the sale of the estate.

To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the attention of the Estates Commissioners has been called to the case of John Monahan, who was evicted from his holding by the representatives of the Stokes Estate, near Raphoe, county Donegal, in 1885; the farm is now in possession of a planter named Farrell, the estate having been sold to the tenants; and can he say whether an inspector will be sent down to inquire into the matter with a view to reinstating Monahan before the sale is completed.

MR. BRYCE: The Estates Commissioners inform me that they have received an application for reinstatement from each of the evicted tenants named in these three Questions. The Commissioners intend to have the cases of these and other evicted tenants in county Donegal inquired into by an inspector as soon as possible. In the meantime, the Commissioners have no information as to the present occupiers of the evicted farms.

Irish Untenanted Lands.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, having regard to the need that exists for the distribution of untenanted land for the relief of evicted tenants and of congestion, and the number of owners of large tracts who have not consented to sell, he will, under Section 23, sub-section 8, of the Land Act of 1903, ask the Estates Commissioners to communicate without further delay with all owners of non-residential tracts of over 100 acres with a view to acquiring such land wherever available, and, if sufficient cannot be obtained, dealing with the problem next session.

MR. BRYCE: The Estates Commissioners inform me that they are at present fully engaged in communicating with the owners of untenanted land, and that it would be premature to draw any conclusion from the result of the negotiations which they have so far undertaken. I have already stated that I cannot at present make any statement as to possible legislation next session.

Land Purchase and Re-sale Losses.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the gross amount of loss incurred by the Congested Districts Board, the Land Commission, and the Estates Commissioners, under the statutory powers allowing loss in the purchase and re-sale of estates, so far as now completed; the gross amount spent improving these estates, restoring them and the people on them to economic conditions, and generally in reversing the policy of their late owners; the gross increase in the price of such estates purchased since the 1st April, 1903, as compared with the average price of those purchased before that date; and, if this latter is not included under either of the preceding headings, by how much does the total expenditure exceed the net value of the estates in question before purchase.

MR. BRYCE: It would not be possible, within the limits of an Answer to a Question, to give the statistical information asked for or to discuss the problems which apparently are intended to be raised. The last annual Reports of the Congested Districts Board and the Estates Commissioners contain all the information on the subject then available, and further similar information will be contained in future annual Reports. I am informed that, in addition, the Congested Districts Board have afforded information on the subject to the Royal Commission on Congestion now sitting, and this information will, doubtless, be published in due course.

Winn Estate, Kerry.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a copy of the Resolutions passed at a public meeting in Glenbeigh, county Kerry, on 18th November; whether the Congested Districts Board will set to work on improvements on the Winn estate, lately purchased by them, as suggested by the terms of the Resolution; and whether he proposes to give effect to the request that a representative from Kerry shall be placed on the Congested Districts Board.

MR. BRYCE: I have received the Resolutions mentioned in the Question and have referred them to the Congested Districts Board, by whom they will be considered at their next meeting. The Winn estate has not yet been vested in the Board, and the Board are, therefore, not yet in a position to alter the boundaries of holdings or effect large improvement works, but the necessary works on the estate will be commenced as soon as the estate is vested. The Board's funds are not applicable to the relief of temporary distress by the undertaking of relief works, as suggested in the Resolutions. I may, however, say that the Government are carefully watching the condition of the county. The Resolutions passed at Glenbeigh did not ask for the appointment of a representative from Kerry on the Congested Districts Board, but a Resolution has been received from the Kerry County Council making that request. There is, however, no vacancy on the Board.

Irish School Teachers' Salaries.

MR. MOONEY (Newry): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the principal teacher in a national school, Roll No. 112, Circuit 9, Section C, is at present in receipt of a grade salary less by £9 than that to which he would have been entitled had he remained assistant; and, if so, will he invite the Commissioners to consider the case of this teacher for an increase in salary, seeing that he is now in charge of a large and important school.

MR. BRYCE: The Commissioners of National Education inform me that Mr. O'Neill, principal teacher of Clohoge National school, has a salary of £63 per annum, which, with the residual grant, about £15 per annum, makes a total income of £78. Had he remained an assistant he would have been entitled under the 4th Schedule of the Irish Education Act of 1892 to a bonus of £9, making his total salary £72. In that case, however, he would not have received any residual grant nor would he be eligible for promotion beyond the third grade. The case is not one in which the Commissioners could grant a special increase of salary under Rule 112 (E).

Report on the Department of Agriculture.

MR. P. A. MCHUGH (Sligo, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state approximately when the Report of the Commission of Inquiry into the working of the Department of Agriculture and Technical Education for Ireland will be available for Members of this House, and can he say when the minutes of evidence taken at the inquiry will be published.

MR. BRYCE: I am informed that the Committee of Inquiry into the working of the Department of Agriculture hope to be able to present their Report within the month of March next. The minutes of evidence will accompany the Report.

Kingston Estate, Cork.

MR. WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state whether Mr. Sydney Smith, a personal friend and neighbour of the agent of the Kingston estate, has been appointed by the Estates Commissioners to examine the holdings and inquire into the methods by which the second term tenants on this estate were induced to sign purchase agreements at the rate of twenty-six and a quarter years purchase with interest at 4 per cent.; and whether the Estates Commissioners will consider the desirability of appointing an inspector not so closely connected with Mr. Henry Frend, agent of the estate.

MR. BRYCE: The Estates Commissioners inform me that they have referred this Question to their Inspector, Mr. Sydney Smith, who reports that he is slightly acquainted with the agent of the Kingston estate, but the agent resides at some distance from him, and is not closely connected with him as stated in the Question. The Commissioners do not consider that there is any necessity for assigning the duty of inspecting the estate to another inspector.

CAPTAIN DONELAN (Cork, E.): Will the right hon. Gentleman ascertain who recommended this Gentleman for appointment?

MR. BRYCE: I do not think the Commissioners would be willing to tell me. I think they consider when they appoint an inspector that they do it in their official capacity and not with any particular recommendation.

Case of Patrick Ahern.

MR. WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Estates Commissioners has been called to the case of Mr. Patrick Ahern, of Ballylough, a second-term tenant on the Kingston estate, who refused the terms of purchase offered to second-term tenants, namely twenty-six and a quarter years, with interest at the rate of four per cent. on the purchase money, which would amount to more than his old rent; whether he is aware that, in consequence of Ahern's refusal to agree to these conditions, Mr. Henry Frend, agent of an estate, has compelled the tenant to pay three gales of rent in one year, and has since harassed him in every possible way; and whether, seeing that about two years ago the Estates Commissioners promised a full inquiry into all the circumstances of the case, he can state when such inquiry will take place.

MR. BRYCE: The Estates Commissioners inform me that they are aware that Patrick Ahern, a tenant on the Kingston estate, has not signed an agreement for the purchase of his holding. The Commissioners have directed their inspector to inquire into and report upon the circumstances of the case when he visits the estate. In the meantime, the Commissioners have no information as to the terms of purchase offered to Ahern, or as to the payment of rent by him. The Commissioners think it probable that the estate will be inspected early in the coming year.

Police Protection for General Gore.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether a special post of police, established about two years ago for the protection of General Gore at Derrymore, county Clare, is still in existence; if so, whether the police are retained at Derrymore by desire of General Gore, and, if not, what are the circumstances which render it still necessary to protect General Gore against his own wish.

MR. BRYCE: I am informed by the police authorities that the police protection post which was established at Derrymore on 11th October, 1905, is still in existence. It is, I am informed, not the case that the police post is retained against the wish of General Gore. The post was established upon the initiative of the police because they considered it necessary, and it is retained for the same reason. It is understood that General Gore, though he did not ask for protection, acquiesced, and still acquiesces, in the arrangements which the police, who are responsible for the preservation of the peace of the district, consider necessary.

MR. WILLIAM REDMOND (Clare, E.): Is it not the fact that General Gore, who is very popular in the neighbourhood, has no wish for this protection? Who is the judge of the necessity for extra police?

MR. BRYCE: *Prima facie* the police who are responsible for the peace of the district. Due regard will be had to General Gore's wishes.

Ballina Guardians Boycotting Resolution.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, at a recent meeting of the Ballina Board of Guardians, a resolution was passed of a boycotting nature directed against a man named Haire, who is stated to have taken an evicted farm at Grannagh, and that this resolution was also adopted by the Swinford Board of Guardians, and proposed to be adopted by the chairman of the Killalla Guardians; whether he will state if any of the guardians who took part in these proceedings hold the commission of the peace; and whether any disturbances, cases of boycotting, or intimidation in connection with the Grannagh farm have been reported by the police during the past two years.

MR. BRYCE: I am informed that on 5th November the Ballina Board of Guardians passed a resolution protesting against the action of John Haire in taking portion of a farm as to which negotiations for sale to the Estates Commissioners were said to be in progress. The farm is not an evicted farm. None of the guardians who were present holds the commission of the peace. I am informed that the resolution was not adopted by the Swinford Guardians, nor by the Killala Guardians, though the chairman of the latter board proposed it. I understand from the police authorities that though some local exhibitions of ill-feeling on the subject have taken place, nothing has occurred which has called for the institution of legal proceedings. Haire is receiving all necessary protection at the hands of the police.

MR. MACVEAGH (Down, S.): Is the right hon. Gentleman aware that the hon. Member who put the Question was himself convicted last week of intimidation?

MR. LONSDALE: Mr. Speaker, the hon. Member for South Down has just made a statement that is absolutely untrue, and reflects upon my personal character, and I ask you to protect me.

*MR. SPEAKER: I thought the statement quite beneath the notice of the hon. Member.

MR. MACVEAGH: May I say that the firm of which the hon. Member is hon. chairman was last week convicted of intimidating——

*MR. SPEAKER: I read the account of the trial, and I made the statement I did after reading it.

Lord Ashtown's Gamekeeper.

MR. POWER (Waterford, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, on what grounds was James Graham, head gamekeeper to Lord Ashtown, who was sentenced at petty sessions, held on 12th November, at Ballymacarberry, county Waterford, to a month's imprisonment for presenting a revolver at a man named Ryan, released after fourteen days' imprisonment; is he aware that James Sands, under gamekeeper to Lord Ashtown, was, at the same sessions, sentenced to fourteen days imprisonment for assaulting Ryan, and that Sands has been returned for trial on the charge of shooting at and wounding a man named Hyland; and whether, considering the conduct of these men, and the state of feeling in the district produced by their action, the licences to carry arms now held by these men will be withdrawn.

MR. BRYCE: I am informed that the facts are as stated in the first two inquiries of the Question. Graham was released after fourteen days imprisonment by order of the Lord-Lieutenant. It would be contrary to practice to state the reasons which influence His Excellency in exercising his prerogative in such cases. The question of revoking Graham's licence to carry a revolver is at present under consideration; and the similar case of Sands will be considered upon the conclusion of his trial, which is taking place at the current assizes.

MR. POWER: Is it a fact that the alleged offence against Ryan for which he was so savagely attacked was the snaring of a rabbit?

MR. BRYCE: I have no information.

CAPTAIN DONELAN: Who is considering the matter of the gun licence?

MR. BRYCE: The Lord-Lieutenant.

The Rev. Marshall Vincent's Rapla Estate.

MR. HOGAN (Tipperary, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, if he will lay upon the Table of the House the correspondence which passed between the solicitor for the Rev. Marshall Vincent, at Rapla, near Nenagh, county Tipperary, and the solicitors for the purchasing tenants on the estate, which the Estates Commissioners declared to justify them in making the holdings of nine purchasing tenants a separate estate and in excluding from the sale the holdings of four tenants whose families have been on the estate for generations; if he can say on what grounds were these holdings excluded; and whether, as these four tenants are, and have been, willing to buy their holdings on the same terms as the others, the Estates Commissioners will not sanction the sale of this estate without having all the tenants included if they have not yet paid over the purchase money of the nine holdings to the landlord.

MR. BRYCE: I beg to refer the hon. Member to my Answer to his Question on this subject on 16th May last.† The Estates Commissioners inform me that the purchase money of the estate sold has been paid over, and it is not now possible to re-open the matter. The Commissioners were satisfied at the time of the sale that the vendor has made a reasonable offer to the four tenants who were unwilling to purchase, and the Commissioners did not think it desirable to stop the sale to nine tenants who desired to purchase because of the unwillingness of the remaining four tenants to accept the vendor's offer. The declaration of the estate is a matter within the Commissioners' discretion. It is not considered necessary or desirable to lay upon the Table the correspondence referred to in the Question.

MR. HOGAN: Is there any secrecy about this correspondence to prevent its being laid?

MR. BRYCE: I do not know what is in it, but the Estates Commissioners say it would not be proper to lay it.

Irish Butter Exporters and the Agricultural Organisation Society.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the resolution recently passed by the Irish Butter Exporters' Association, protesting against the proposed subsidy to be given by the Irish Department of Agriculture to the Irish Agricultural Organisation Society, on the ground that State money should not be applied in subsidising a trading organisation which is in direct competition with private traders; whether he is aware that protests on similar grounds have been made by the leading Irish bacon curers and exporters; and whether, in view of these protests on behalf of two Irish industries, steps will be taken to restrain the Department from this use of public moneys.

MR. BRYCE: My attention has been called to the resolution referred to, and to the objections which have been taken in other quarters to the action of the Department of Agriculture and Technical Instruction in applying public moneys for the teaching of agricultural co-operation through the agency of the Irish Agricultural Organisation Society. I have already stated that the opinion of the law officers is being taken upon the legality of this action.

Irish Land Stock.

MR. MOONEY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if his attention has been called to the fact that in the last issued Report of the Department of Agriculture and Technical Instruction for Ireland for the year 1904–5, page 134, it is stated that on the 31st March, 1905, the Department had invested in Local Loans Stock £250,000, Exchequer Bonds, 1905, £70,000, Guaranteed Land Stock £70,837 15s. 11d., Consols £20,000 and a further balance of £37,077 1s. 9d., making a total of £447,914 17s. 8d., and to the fact that it has recently been stated by the head of the Department that the sum at present held is of a face value of £379,431 15s., and of a real value at present prices of £357,430, with an additional sum held on deposit of £35,000, making a total value of £392,430; can he state how this decline of £45,484 17s. 8d. is accounted for; and, if it is by the sale of securities, will he state what was the face value of the securities so sold, their cost prices, the amount they realised, and the purposes on which they have been expended.

MR. BRYCE: The facts are as stated in the Question. The hon. Member, however, appears to be contrasting the nominal values of the securities held by the Department on 31st March, 1905, in his first total of £447,914 17s. 8d., with the cash values of securities now held, in his second total of £392,430. The only change in the nature of these securities that has taken place since 31st March, 1905, is as follows:—The £70,000 Exchequer Bonds matured on 7th December, 1905, and were paid off at par, thus realising £70,000. They had been purchased in July, 1901, for £69,116. Of the amount realised, £35,000 was re-invested in 2¾ per cent. Guaranteed Land Stock. The balance of £35,000 was used to meet expenditure on marine works; new buildings and equipment of the Albert Agricultural College and of Athenry, Ballyhaise, and Clonakilty Agricultural Stations; the purchase of a dredger; and special investigations and experiments in flax and tobacco growing and curing, and peat-making.

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† See (4) *Debates*, clvii., 488.

MR. MOONEY: Is it not the fact that the figures in the first part of the Question are the official figures given by the Board, and that those in the second part were supplied by the right hon. Gentleman himself?

MR. BRYCE: Yes, Sir, but the hon. Member in the one case gives the face value of the securities, and in the other the actual value.

Grading of Butter.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland what steps have been taken by the Department of Agriculture to ascertain the views of Irish butter producers and exporters with regard to the grading of butter; and can he say what steps in particular have been taken to ascertain the opinion of the producers of centrifugal creamery butter.

MR. BRYCE: The Department of Agriculture have not taken any special steps to ascertain the views of Irish butter producers and exporters with regard to the grading of butter. They do not consider it desirable to take action in this direction until they have satisfied themselves by further inquiry that it is practicable in the present circumstances of the trade to establish an adequate system of grading.

Consumption in Ireland.

MR. J. P. FARRELL (Longford, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the ravages of consumption in Ireland; whether he is aware that the average death rate from tuberculosis, which in 1902 was 11,837, had risen to 12,694 in 1904; and whether the Government intend taking any steps to give immediate effect to the recommendations of the Viceregal Commission on the Irish Poor Law contained in paragraphs 101–107 of their Report.

MR. BRYCE: I beg to refer to the Answer which I gave to the Question on this subject put by the hon. Member for West Cavan on 26th June last†. The hon. Member will see that the matter has already engaged the serious attention of the Government. The Local Government Board have been in communication with local authorities and medical officers of health on the subject. The recommendations of the Irish Poor Law Commission upon this and other subjects will receive full consideration, but as I have already said, I do not anticipate that I shall be in a position to make a statement as to the intention of the Government in respect of those recommendations for some time to come.

Trade Disputes Bill and Irish Agrarian Disputes.

CAPTAIN CRAIG (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the increase of picketing and boycotting by branches of the United Irish League at Dromahair, Drumkeeran, and Ballinaglera; whether he is aware that the League in Sligo have caused to be published a statement to the effect that the Trades Disputes Bill which has just passed the House of Commons legalises picketing in agrarian cases; and whether, under these circumstances, he will advise His Majesty's Ministers to insert a new clause, when the Bill is before the other House, providing that agrarian disputes are outside the scope of the measure.

MR. BRYCE: I have no information that the fact is as stated in the first part of the Question, or that the league in

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† See (4) *Debates*, clix., 794.

Sligo has caused to be published a statement to the effect mentioned in the second part. As regards the concluding part of the Question, the question there referred to was fully debated in this House, and I have no statement to make on the subject.

Labourers Cottages in County Down.

CAPTAIN CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, the amount of Government money allocated to the county of Down annually for the past three years in respect of labourers cottages under the Labourers Acts prior to 1906; and what will the maximum amount be for any one year for that county under the Act of 1906.

*MR. BRYCE: The amount of Government money allocated to the county of Down annually for the past three years in respect of labourers cottages was as follows:—March, 1906, £2,010 18s. 7d.; March, 1905, £2,027 13s. 8d.; March, 1904, £2,027 13s. 8d. There is an unissued balance at present of £3,264 15s. 5d. Under the new Act, 36 per cent. of the annuity payable in respect of loans obtained after 1st November last from the Land Commission for the purposes of the Acts will be paid partly out of the Labourers Cottages Fund and partly by the Treasury through the Ireland Development Grant. This amount will depend on the extent to which the district councils in the county may put the Act into operation. The councils will also get, in respect of all cottages provided before that date, their proportionate share of the Exchequer contribution.

Mountshannon Estate, Limerick.

MR. O'SHAUGHNESSY (Limerick, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, if he can say whether the Estates Commissioners intend to give to grabbers a portion of the untenanted lands on the Mountshannon estate, in the county of Limerick, which has been purchased by them; and, if so, whether he is aware that this will cause dissatisfaction and endanger the peace of the county in view of the fact that there are evicted tenants in the county, who have not got back their holdings, willing to take untenanted lands at Mountshannon in addition to those to whom allotments have been made, and also in view of the fact that there are labourers in the district who require suitable allotments of these lands, and that there are uneconomic holdings bounding the estate requiring to be enlarged; and, whether, in view of these facts and in the public interest, he will take steps to see that grabbers get none of the untenanted lands there.

MR. BRYCE: The Estates Commissioners inform me that the scheme for the allotment of the untenanted land upon the estate mentioned has not yet been finally settled by them. The Commissioners will, when considering the distribution of the untenanted land, have due regard to the wants and circumstances of persons residing in the neighbourhood.

MR. O'SHAUGHNESSY: Will the evicted tenants who cannot get back their old holdings have the preference, and the grabbers be granted money compensation?

MR. BRYCE: The Commissioners will conform to the directions given by Parliament.

Limerick Evicted Tenants and Untenanted Lands.

MR. O'SHAUGHNESSY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the people of the county of Limerick object to the Estates Commissioners giving to any persons other than evicted tenants any of the untenanted lands purchased by them under the Land Act, 1903, while there is a number of evicted tenants in the county who cannot get back their own holdings wanting these lands, and also while the labourers of the county require allotments of them to enable them to live and so that they may not have to emigrate to foreign lands; and whether, under these circumstances, he will give directions to the Estates Commissioners that, before they plant any persons on the untenanted lands there, they will first provide for the evicted tenants and labourers of the county.

MR. BRYCE: The Estates Commissioners inform me that in making advances for the purchase of parcels of untenanted land in county Limerick, as elsewhere, they will have due regard to the circumstances of the particular case, and to the claims of the various classes of persons who are qualified to obtain advances for the purchase of such land.

*MR. BYLES (Salford, N.): Having regard to the very copious supply of Questions respecting the Estates Commissioners, cannot the right hon. Gentleman now give a general assurance that the expectations he expressed in a recent debate that their proceedings would be accelerated will soon be realised?

*MR. SPEAKER: That does not arise directly out of the Question on the Paper.

Inspectors of National Schools Examination.

MR. MACVEAGH: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any competitive examination will be held in connection with the forthcoming appointment of four junior inspectors of national schools.

MR. BRYCE: The Commissioners of National Education inform me that they have up to the present only advertised for candidates for the positions referred to. They have not yet finally determined the method of selection of the inspectors from the candidates.

MR. SWIFT MACNEILL (Donegal, S.): Will the right hon. Gentleman consider the desirability of representing to the Commission that these appointments should be thrown open to competitive examination?

MR. BRYCE: I have no control over them.

Enniskillen Courthouse.

MR. MACVEAGH: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say if tenders have been or will be invited in connection with the alterations to the Enniskillen courthouse.

MR. BRYCE: The Local Government Board are informed by the secretary of the Fermanagh County Council that the council gave the work in question into the charge of the county surveyor (Procedure of Councils Order, section 22), and the surveyor has invited competitive tenders for the main part of the work, and has given the remainder of the work to local builders.

Lisburn Poor Rate Collector.

MR. MACVEAGH: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the fact that Mr. Andrew Morrow, one of the poor rate collectors for the Lisburn Union, holds at the same time the position of secretary to the County Down Committee of Agriculture and Technical Instruction; if so, whether he can say why Article 86 and Sub-section F of the General Orders of the Local Government Board for councils are allowed to be infringed; and whether he can say what steps will be taken to enforce the regulation.

MR. BRYCE: I am informed that Mr. A. Morrow was an existing officer transferred to the Down County Council by the Local Government (Ireland) Act, 1898. The attention of the Local Government Board was called to the fact that Mr. Morrow also held the office of secretary to the County Down Committee of Agriculture and Technical Instruction, and the Board stated that they did not consider it obligatory on Mr. Morrow to resign either of these offices. The Board have a dispensing power under the Public Bodies Orders, and in the case of existing officers they exercise this authority when the circumstances appear to justify that course.

Drumkeeran Outrage.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it had been brought to his notice that last week two bullocks were removed from the farm of Thomas Brady, near Drumkeeran, and that several mornings later the bones of these animals, with their tails and hoofs, were found in two sacks deposited outside the police barracks; whether ten cocks of hay have been removed from this farm; whether he will state the number of police stationed in the neighbourhood; and whether any arrests have been made in connection with these occurrences.

MR. BRYCE: The police authorities inform me that Thomas Brady reported to the local police that two bullocks were stolen from his farm on 16th October last. Brady, however, refused to swear an information in support of his statement. There is, I am informed, not the slightest foundation for the suggestion that the remains of these animals were left outside the police barracks. It is the fact that on the night of 15th September some stacks of hay and oats were removed from Brady's farm, and these were found in a field in the locality. There are twenty police stationed in the neighbourhood. No arrests have been made in connection with the occurrences.

Galway Extra Police Tax.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether his attention has been called to the proceedings of the Galway County Council in reference to the extra police tax levied in that county; whether he will state the number of police in respect of which the tax has been levied, the districts in which the police have been located, and the reason for strengthening the number of the force in each case; and whether the extra police, or any portion of them, are still retained in the districts in question.

MR. BRYCE: The County Council of Galway have raised certain objections to paying for the expenses of extra police drafted into the county, and have applied for particulars in connection with the accounts furnished for the purpose of checking their accuracy. As to the numbers of the extra police serving in county Galway at different times since 1st March, 1905, I beg to refer the hon. Member to my Answers to the Questions of the right hon. Member for South Dublin on 2nd November, † which give full particulars. The extra police for which charges have been made were located in the districts of Athenry, Ballinasloe, Dunmore, Galway, Gort, Loughrea, Portumna, and Tuam, and the main reason for the services of these police was the state of feeling arising out of the agitation against the grazing system. As the hon. Member is probably aware, these extra police were sent to the county while the late Government were in office. The only extra force at present serving in the county consists of twenty-five men of the reserve force who were sent to the Athenry district on 12th October last.

Galway United Irish League.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, whether his attention has been directed to a report of the proceedings of the South Galway Executive of the United Irish League at Loughrea on 18th November; whether Mr. J. Leahy has offered to surrender his grazing farm to the committee of the Leitrim branch and begged their permission to hold it for a short time to allow him to dispose of his stock; whether Mr. Larkin has undertaken to surrender his farm and also forego his right to a sum of £30 awarded to him as compensation for a malicious injury; whether any cases of intimidation or other disturbance have occurred recently in connection with the holdings of Mr. Larkin and others at Carrowkeel; and whether he has any official information showing that these persons have surrendered their property in deference to the proceedings of the United Irish League.

MR. BRYCE: My attention has not been drawn to the report in question, and I am informed by the police authorities that the meeting referred to was held within doors, and the police have no evidence of what took place at it. I have no information that the persons named have surrendered or have offered to surrender their farms, or that Mr. Larkin has undertaken to forego his right to the sum of £30 awarded to him as compensation for malicious injury. I am informed that the only offence which has recently been committed in connection with the persons named consisted in the breaking of five panes of glass in the windows of Mr. Larkin's house on the night of 24th November.

Leitrim Boycotting Case.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it has been brought to his knowledge that Thomas Brady, of Drumnafuila, county Leitrim, goes in danger of his life; that three constables have been quartered in his house for his protection since early in August last, two of whom accompany him whenever he leaves the house; that he is unable to obtain provisions in the neighbouring villages, and is obliged to travel long distances with his escort in order to procure the necessaries of life; and whether the Estates Commissioners are proposing to use public money with the object of inducing Brady to surrender his holding on the Slack estate, which he purchased from the Land Commission in February last.

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† See (4) *Debates*, clxiii., 1447–9.

MR. BRYCE: The Inspector-General informs me that he has no reason to believe that Thomas Brady goes in danger of his life. It is, however, considered necessary to afford constant police protection to Brady in order to prevent attempts at intimidation and possibly rough treatment. It is the case that Brady cannot openly procure provisions in the neighbourhood, but has to go or send considerable distances for them. As to the latter part of the Question, the Estates Commissioners inform me that their inspector is at present making inquiry with a view to the purchase by the Commissioners of Brady's interest in his holding on the Slack estate?

MR. DILLON: Is the right hon. Gentleman aware of the fact that the county of Leitrim was the scene of ex-Sergeant Sheridan's activity?

MR. WILLIAM REDMOND: Why not send the Scots Greys there?

MR. J. WARD (Stoke-on-Trent): As a new member, I should like to ask the Chief Secretary why it is that certain representatives from Ireland take such interest in trying to blacken their country.

MR. SWIFT MACNEILL: Hear, hear; a most disorderly Question.

Limerick Untenanted Lands.

MR. O'SHAUGHNESSY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether the Estates Commissioners, in the event of purchasing grazing tracts of land in the county of Limerick, will inquire into the congested state of the mountainous parts of the county, for instance, in Glensharrold and neighbourhood, with the view of giving some of the untenanted lands to the sons of small farmers in these parts, after the evicted tenants' claims have been satisfied, to keep them from emigrating to foreign lands for a living.

MR. BRYCE: The Estates Commissioners inform me that their power to make advances under Section 2 of the Act of 1903 to the sons of tenants for the purchase of parcels of untenanted land is limited to the cases of the sons of tenants of holdings on the estate which includes the untenanted land. The Commissioners have due regard to the provisions of this section when distributing untenanted land purchased by them.

Greystones Pier.

MR. COGAN (Wicklow E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, owing to the defective and incomplete condition in which Greystones pier and harbour were left by the Board of Works, the late Grand Jury of the county Wicklow, and subsequently the county council, refused to take over possession of the harbour; that it has been steadily and swiftly crumbling away ever since, and that, as a result, the fishermen and others for whose benefit it was intended can make no use of it; and whether, having regard to the sum of public money for the repayment of which the ratepayers are responsible, and under all the circumstances of the case, he will take the necessary steps to see that the Board of Works will put the harbour in a proper state of repair.

MR. RUNCIMAN: The pier at Greystones when completed was transferred under the Public Works Acts Amendment (Ireland) Act of 1853 to the Grand Jury of the county of Wicklow who thereby became charged with its maintenance. I understand that the transfer was objected to. Since the transfer serious settlements have occurred at the pier head, but it is not correct, I am informed, to state that it has crumbled away, nor does the condition of the pier head prevent fishermen or others from using the pier. The repayment of the Board of Works loan, to which the hon. Member refers, is now almost completed, only five half-yearly instalments of £34 6s. 9d. remaining to be paid. On the other hand, the expenditure which would be required in order to repair the pier is very large, and I believe unjustified by the condition of the fishing industry at Greystones, which appears to have decayed from general causes. My hon. friend is therefore not prepared to advise a grant from public funds in this case.

MR. WILLIAM REDMOND expressed a hope that the Chief Secretary would give the matter his personal attention. Five years ago the right hon. Gentleman's predecessor said he was inquiring into it, but the fishery industry at Greystones was being ruined through the pier and harbour being in such an unsatisfactory condition. It would be a lovely run from Dublin for the right hon. Gentleman.

Irish Asylums Board.

MR. COGAN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that seventeen out of twenty-three district asylums in Ireland have passed resolutions calling for the absolute withdrawal of the Public Bodies Order; if he will lay upon the Table the documents submitted to him from the Local Government Board, the inspectors of lunatics, and the association of asylum doctors on which he based his statement to Mr. Richard Jones, chairman of the Richmond Asylum Board, that the weight of authority and the views of other asylum committees in Ireland are not favourable to the changes suggested by the Richmond committee; whether the documents submitted included any reference to the powers conferred on the asylum committees by Section 84 of the Local Government (Ireland) Act, 1898, and if such powers conferred on the committee the power to assign duties to every officer; and whether his attention was drawn to the letter written by the Local Government Board, dated 20th November, 1905, deciding to recognise the authority of the asylum committee in this regard.

MR. BRYCE: I am informed that no resolutions against the Public Bodies Order have been received from asylum committees, except Richmond, since January, 1906. When the Order was first issued a considerable number of asylum committees adopted a resolution asking for the withdrawal of the Order; but, in view of modifications agreed to by the Local Government Board, and explanations offered to committees on points which were misunderstood, the committees generally withdrew from this position, and the Order is now in force in all asylums, except Richmond, and working satisfactorily. All the asylums, except Richmond and three others, have already furnished their abstracts of account to the 30th September, 1906, in the form prescribed by the Order, and it is understood that the delay in the three cases other than Richmond is due to the fact that the accounts were not promptly closed. The documents referred to in the Question are confidential, and it would be entirely contrary to practice to lay them on the Table of the House. The position taken up by the Local Government Board in their letter of 20th November, 1905, is incorrectly stated in the Question. In that letter the Local Government Board expressed their willingness to agree to certain books and documents being kept by other officers than the resident medical superintendent; but an attempt has been made to read into that letter a proposal to deprive the resident medical superintendent of all responsibility and authority over the supervision and control of the work. The Local Government Board cannot accept that position. The responsibility in question properly belongs to the resident medical superintendent, and this fact has been recognised by all the other asylums in Ireland, and I believe the same principle exists in England.

MR. COGAN inquired if in England the asylum committee did not assign the duties?

MR. BRYCE asked for notice.

New College of Science, Dublin.

MR. HUGH LAW (Donegal, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state the nature and place of origin of the stone to be used in the erection of the new College of Science, Dublin.

MR. RUNCIMAN: If the hon. Member will refer to the Answer which my hon. friend the Secretary to the Treasury gave to a similar Question by the hon. Member for East Clare on the 7th ultimo,† he will find all the information which at present is available on this subject.

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† See (4) *Debates*, clxiv., 564–5.

In reply to Mr. WILLIAM REDMOND,

MR. BRYCE said the Irish stone used in the lower storeys had proved very satisfactory.

Irish School Buildings.

MR. LONSDALE: I beg to ask the Secretary to the Treasury whether the Commissioners of National Education in Ireland have furnished an estimate of the amount required to place defective elementary school buildings in a satisfactory condition; and whether the Commissioners of the Treasury have arrived at any conclusion as to the renewal of the building grants and an increase in the amount to be voted for this purpose.

MR. RUNCIMAN: I am informed that there has not been any recent statement by the Commissioners to the Treasury which could be described as an estimate of the amount required to place defective elementary school buildings in a satisfactory condition. On a representation, however, by the Irish Government, the Treasury consented some time since to place a sum of £40,000 for the purpose on the Estimate for Public Works and Buildings, Ireland, 1907–8, the amount available on that Vote in the current year being £20,000.

MR. J. P. FARRELL: I beg to ask the Secretary to the Treasury whether the modifications in Plan VI. A of the estimates for building Irish national schools are yet sanctioned by the Board of Education in Ireland or are likely to be.

MR. RUNCIMAN: The suggestions of the Commissioners of National Education as to the standard plans to be adopted for the future are now being examined on behalf of the Treasury. When that examination is complete, the Treasury will do everything possible to expedite a decision.

Sligo Postal Arrangements.

MR. P. A. MCHUGH: I beg to ask the Postmaster-General whether he has received representations from the people of the Kilrusheighter district of Templeboy, county Sligo, in regard to inadequate postal facilities; have the Post Office authorities in Ireland closed a letter box in the district named, retaining at the same time a guarantee of £8 6s.; was there a loss on the letter box, and if so, can he state the amount of the loss; what was the average weekly collection of letters while the box was in use; will he refund the guarantee paid, or part of it; and will he see that the grievances complained of are redressed.

MR. SYDNEY BUXTON: I under-that this Question has reference to the suspension of the evening collection from the letter box at Kilrusheighter in consequence of the failure of the guarantors to pay the cost of collection as they had undertaken. I am afraid, that without a guarantee, I should not be justified in providing the desired facility, the cost of the existing service being already very high as compared to the revenue.

Income Tax.

MR. CHIOZZA MONEY (Paddington, N.): I beg to ask the Prime Minister whether in view of the importance of the subject, he can see his way to grant a day, or part of a day, before the conclusion of the Autumn sittings, and preferably at an early date, for the discussion of the Report of the Select Committee on the Income Tax.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I am not prepared to give a special opportunity for the discussion of this subject.

Small Landowners (Scotland) Bill.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Prime Minister if he can now give any indication as to when the Small Landowners (Scotland) Bill will come up for Second Reading.

SIR H. CAMPBELL-BANNERMAN: No, Sir, I am afraid I can give no indication.

MAJOR ANSTRUTHER-GRAY: Will the Prime Minister endeavour not to select the last Saturday of the session?

SIR H. CAMPBELL-BANNERMAN: It may become "Hobson's choice." I do not know.

Transvaal Letters Patent.

MR. CLAUDE HAY (Shoreditch, Hoxton) asked the Prime Minister a Question of which he had given him private notice—namely, when it was expected that the Letters Patent relating to the new Transvaal Constitution would be signed.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): The state of affairs in regard to this matter is this. The Letters Patent have received the approval of His Majesty, and the Great Seal will, it is expected, be affixed to them in the course of this week. We hope to lay them on the Table of this House on Monday, and they will be published on Wednesday.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London) asked the Prime Minister with regard to the Motion to suspend the eleven o'clock rule, whether the intention was that the Workmen's Compensation Bill should be passed through that evening at all costs. They had some of the most difficult parts of the Bill still to dispose of, and the most hostile critic could not describe the discussion up to the present as obstructive.

SIR H. CAMPBELL-BANNERMAN admitted that the discussion on the Workmen's Compensation Bill had hitherto been perfectly reasonable, though a little discursive at times. Notwithstanding the formidable appearance of the task the Government hoped they might dispose of the Bill that night, but there was no desire to force it through. If the Bill was not concluded, he was afraid they would have to put off the Feeding of Children Bill.

MR. KEIR HARDIE (Merthyr Tydvil): In the event of that most regrettable necessity, could not a Saturday sitting be taken?

MR. JOHN REDMOND (Waterford): Why not put the Bill down for Friday if it is not finished to-night? The business is the suspension of the eleven o'clock rule for the rest of the session, and that will not occupy very long.

SIR H. CAMPBELL-BANNERMAN: We intended to take other Bills, and you cannot give fresh time to one subject without taking from another, in the condition in which we are now. As to a Saturday sitting, I am not an habitual week-ender, and the Saturday sitting has no terrors for me, but I am afraid the idea is inconvenient and unpopular.

MR. A. J. BALFOUR: In view of the statement of the Prime Minister, I shall not divide against the suspension of the eleven o'clock rule, and I hope my friends will follow my example.

Ordered, "That the proceedings on the consideration of the Workmen's Compensation Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House)."—(*Sir H. Campbell-Bannerman.*)

WORKMEN'S COMPENSATION BILL.

Order read, for resuming adjourned debate on Amendment proposed (4th December) on consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

> "In page 8, line 15, to leave out the word 'fishing.'"—(*Sir Robert Ropner.*)

Question again proposed, "That the word 'fishing' stand part of the Bill.

Question put, and agreed to.

MR. BARNES (Glasgow, Blackfriars) moved an Amendment, the acceptance of which would make Clause 8 read: "the certifying surgeon appointed under the Factory and Workshops Act, 1901, for the district in which the workman is employed, or other duly qualified medical practitioner, certifies that a workman," etc. It might seem out of place to suggest the supersedence by an ordinary medical practitioner of a gentleman who by his appointment was practically a Government official. But unfortunately, so he was told, the people in the district in which the particular section of the Act would operate had not the fullest confidence in the certifying surgeon, and therefore there should be some option to call in another doctor. If a man suffering from an industrial disease wished to claim benefit under the Act he had no power to go to his own doctor, but he had to accept the offices of the certifying surgeon, and then in the event of his not being satisfied he had to go before the medical referee, whose decision was final. Such an arrangement was not so fair to the man as it was to the employer, and for this reason he moved the Amendment. He also pointed out that the Amendment was linked up to a certain extent with another Amendment more fundamental in character where it was proposed to open up benefits under the Act, not only to those persons within the third schedule but to anyone suffering from industrial diseases. He wished the House to have regard to the fact that this Amendment had a bearing on the second Amendment, and therefore it was important.

MR. J. WARD (Stoke on-Trent), in seconding, said he had attended meetings where the subject under discussion had been that of diseases in trades, and the question had been considered jointly by both employers and workmen. He thought hon. Members would agree that there was a considerable amount of argument in favour of allowing the surgeon who was usually in attendance upon a man, who understood the way in which the disease had grown, knew the general state of the man's health and the way it had been undermined, to have some voice in the matter. Such practitioner must know quite as much of the circumstances as the man who had only been called in for half an hour to make an examination of the subject. If the certifying surgeon refused to grant a certificate, or the certificate was not satisfactory, automatically the medical referee was to be referred to, and his decision was final. There was no method of appealing, so far as he understood it. Was that not a dangerous power to put in the hands of these gentlemen? Even amongst the greatest of our medical authorities there was often a considerable difference of opinion in regard to medical and surgical cases, and under these circumstances he thought there should be some other method of deciding the case, instead of its being left to two individuals who, under the present regulations, and, so far as the Act applied to one of them at least, might be partially in the service of the employer.

Amendment proposed to the Bill—

"In page 8, line 21, after the word 'employed,' to insert the words 'or other duly qualified medical practitioner.'"—(*Mr. Barnes.*)

Question proposed, "That those words be there inserted in the Bill."

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said the only question to be referred to the certifying surgeon was the medical one of whether or not a man was suffering from a disease. Such questions as to whether the disease arose from his employment and all other matters that might arise under the Act were not to be referred to him. It was purely a question of the diagnosing of disease, and the Government thought that, it being a medical question, it ought to be referred to a medical man. Once a certificate was obtained the man could claim compensation as an absolute right unless the employer proved that the disease was not contracted in his employment. If the Amendment were inserted the result would be that every case would have to be taken into Court, which the Government desired to avoid; for of course the certificate of the workman's own doctor could not be regarded as carrying any official authority. There must be some outside authority easily accessible who would be able to say whether or not a man was suffering from an industrial disease. The certifying surgeon became an expert, and was by far the most qualified man for the purpose. He agreed with the hon. Member for Stoke that there ought to be an opportunity for the workman's doctor, who, no doubt, knew the case, to state his views, and he thought the Government could undertake that in every case the medical referee should be instructed to give an opportunity for such medical evidence to be laid before him.

MR. BARNES asked who would have to pay the expense.

MR. HERBERT SAMUEL said of course if a man's own doctor attended before the medical referee the man would have to bear the expense. The medical referee's fee would involve no charge to the workman.

VISCOUNT MORPETH (Birmingham, S.) said that in the event of an Amendment lower on the Paper being accepted by the Government, a very heavy responsibility would be thrown upon the medical man who had to certify a workman to be suffering from an industrial disease. They were bound to recognise that there were some medical practitioners who issued certificates in a reckless manner, and there was a practical difficulty in dealing with that class of practitioner. If this clause was to be extended so as to apply to all classes of industrial disease, there would be some danger in allowing the private doctor of the workman who was aggrieved to be the authority to pronounce whether or not the workman in question was suffering from an industrial disease. He thought the surgeon appointed under the Factory and Workshop Act was in some sense a Government official, and was in a more impartial position than any qualified medical practitioner who might be called in. The Amendment asked rather too much in view of what was proposed later on.

MR. BARNES, having regard to the statement of the Under-Secretary, asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. MASTERMAN (West Ham, N.) moved an Amendment to include all trades and processes within the scope of compensation for industrial diseases. He regretted the absence of the hon. Member for Berwickshire, who had made this subject his special study, and to whom all those who were working in the dangerous trades concerned should be exceedingly grateful. This was to him the most vital clause in the Bill, because it not merely developed and perfected the system of 1897, but laid down a new principle in workmen's compensation. It had been branded as a leap in the dark, but so was the Bill of 1897, and he thought, considering the acquaintance they now possessed with industrial diseases, the House should be prepared to take this step. The result of the Amendment would be that instead of compensation for industrial disease applying to certain limited specified trades and processes it should apply to any disease which was due to the nature of the employment in which the workman was engaged, and which he could demonstrate was due to the nature of the employment. He knew there were great difficulties in this wide application, but the situation was, he apprehended, a difficult one apart from that. On the one hand the method of adding to the schedule seemed to him impossible for carrying out what they desired; and, on the other hand, there was enough information to create a desire to bring the victims of industrial disease within the scope of compensation. Two strong arguments had been verified in ten years experience for the extension of compensation in case of accident and its application to industrial diseases. One argument was that the extension would ensure greater care on the part of the master, though he agreed that their main hopes had not been secured in that direction and accidents had not materially diminished as a result of the Act of 1897. Still it was a very satisfactory second string to the bow of factory legislation. In regard to the argument that it was exceedingly difficult to extend compensation to industrial diseases, Mr. Legge, in giving evidence on the point, said that the difficulties of bringing lead poisoning under the Workmen's Compensation Act were almost insuperable, but that if it could be done it would have enormous effect in the improvement of work. Therefore he would ask why the schedule in this Bill was limited to lead poisoning and five other industrial diseases. They were convinced from experience that the general effect of industrial compensation was to raise wages, and it raised them according to the extent of the insurance. These dangerous processes, involving industrial disease to a very large extent, pointed to a curious perversion of the so-called laws of political economy, because they were largely carried on by the poorest paid workers in the country, namely, women and girls who had no direct representation in this House. He believed that this proposal would raise the wages of these poor people to the extent of the amount of the insurance, and he and his friends were of opinion that the cost of insurance would be thrown upon the shoulders of the consumers. They had a right to demand that the first charge in connection with an industry which should be thrown upon the consumer was that which concerned the health and welfare of the workers in the trade. There were two methods of procedure, and the Govern ment appeared to have chosen the least satisfactory of the two. They might proceed by the method which would be established if the Government accepted this Amendment. It might, of course, require some consequential Amendments, limiting its operation and making it clear that the disease for which compensation was to be paid was incidental to the special nature of the employment. He had given notice of a further Amendment which would exempt agriculture from the operation of the present Amendment, and the supporters of the Amendment would be willing to accept other limitations so long as the general principle they advocated was established. The Govenment method established a schedule consisting of six specially selected industrial diseases. One of them was anthrax, and the second was miners' worm. The third which dealt with lead was already partly provided for under the factory law, leaving mercury, phosphorus and arsenic poisoning as the industries to which this particular compensation would be extended. There were, he was aware, provisions for the extension of that schedule, but he was profoundly dissatisfied with the method suggested. The Secretary of State might make Provisional Orders for extending the provisions of this section to other diseases and processes, and such Orders would have no effect until confirmed by Parliament. Whilst the confirmation of the Order was pending, if a petition was presented against it, the Bill might be referred to a Select Committee, and the petitioners would be allowed to oppose as in the case of Private Bills. Their experience in the past had shown how difficult it was to make any extensions under such a system as that. The Under-Secretary might reply that an important Home Office Committee had been appointed to deal with a long list of trades and processes, and that they were considering how far the list might be extended under the schedule. What would be the result? He would give as an illustration the girls working under the naphtha process in the manufacture of india-rubber, which ten years ago was recommended as a dangerous trade, but which to-day was not so certified. Under the procedure now suggested the girls would have to get that trade put on the list for Home Office inquiry.

MR. GLADSTONE: It is on.

MR. MASTERMAN said he was pleased to hear that, but it was not on when he looked through the list a short time ago. It would then have to be recommended, and the third stage would be the making of a Provisional Order, and the laying of it on the Table of the House. The fourth stage would be the petitions against being included under Schedule 3 by the particular employers; the fifth stage the recommendation of the petition to a Select Committee to inquire and report; and the sixth, the reference back to the House and the embracing of the recommendation in a Bill similar to a Private Bill. After passing through those six stages naphtha would be included as a disease for which compensation could be paid. The seventh stage was to get a surgeon to certify the disease; the eighth the challenging of that statement before a medical referee; and the ninth an appeal to the Court for compensation. Could those who were acquainted with the number of victims of this disease rest satisfied with such machinery as that? There was a Departmental Committee on Dangerous Trades in 1896 which, after three years of a most careful and exhaustive inquiry, produced a long list of trades which they recommended as dangerous, the great majority of which remained unregulated to this day. It was with a strong desire that the Government would see their way to simplify the machinery of this provision that he ventured to press the Amendment. They recognised the difficulties. It was said that these diseases would be uninsurable, and that they could not be met by the ordinary methods adopted for the compensation of workmen. There was very little evidence to support such a statement, though there were a considerable number of authorities who believed that these cases would settle down to a regular system of insurance, but he did not think any system would be satisfactory until they got a universal system of State insurance. The manager of the Commercial Union Assurance Company in his evidence was asked as to the expense and difficulty of insuring against these diseases, and although he said it would be a difficult matter to bring them within the scope of the Act a large number of insurance companies would be willing to take up the system, and as their liabilities decreased with the greater care that would be taken in the dangerous trades, the premiums would be reduced. That was the main contention of the supporters of the Amendment. They were willing to accept the exemption of certain trades. They were ready to hear whether any kind of agreement could be arrived at which would make the position more satisfactory than the present very severely contested limitation, which was entirely insufficient to meet the demands made in the name of civilisation on behalf of the unfortunate people working in these special trades. This was no factious Amendment. It was not proposed with any desire to trouble the Government. It was an Amendment which went to the heart of one of the most difficult and pressing of all the modern problems of social legislation. It was desirable in the interest of certain workers in difficult and dangerous processes, largely women and girls, who were not represented in this House, and who had no power by vote of making their desires known. If they had had that power the application of the principle to their condition would have been accepted long ago by a very large majority. He and his friends did not pretend that they were the only people who cared for this matter, but they submitted in the name of these workers that the contention which was often made that Members of the House of Commons were as prepared to look after the people's interests as the people were themselves might be justified in such a test case as that which he was now presenting. He trusted that they might not be met by the simple statement that the Government had gone as far as they could go in the matter, and that they might be encouraged in connection with this particular Bill to hope that protection would be given to some of the most unfortunate classes in the community.

MR. BARNES, in seconding the Amendment, said it proposed to exclude the third schedule, and as that schedule included cases of disease resulting from the processes employed in pottery he wished to be reassured that potters would not be excluded. He knew that there were some potters who looked with misgiving at the Amendment lest it should exclude them from the benefits of the Act. Nothing of the sort was intended by the Amendment, which, as a matter of fact, would exclude no one. All that it did was to provide that instead of the rather cumbersome, costly, and lengthy process incidental upon Government action there should be substituted the certificate of a duly qualified man appointed by the Home Office. It might be said that already a great deal had been done by enabling the Home Office to extend the schedule. He recognised that that was a great advance, but although the Home Office might act with as much celerity as they possibly could in these cases he submitted that in the meanwhile scores and possibly hundreds of people would be sacrificed. This was what by the Amendment they wished to avoid. He wanted to emphasise what had been said by the mover of the Resolution as to its being proposed in the interests of the most helpless class of workers. He pleaded for those who had no voice in the matter, and who suffered constantly the terror of industrial disease.

Amendment proposed to the Bill—

"In page 8, line 22, to leave out the words 'mentioned in the Third Schedule to this Act.'"—(*Mr. Masterman.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. HERBERT SAMUEL associated himself with the expression of regret at the absence of the hon. Member for Berwickshire, who had for a long time taken a deep interest in this subject. The hon. Member who moved the Amendment had asserted that the schedule of the diseases was too narrow and was inadequate. He was perfectly right. The Government had never suggested that it was anything but a provisional schedule. That had been made perfectly clear in the previous stages of the Bill, and many of those diseases which the hon. Member quoted ought undoubtedly to stand on the same footing as lead poisoning and others which were now inserted in the schedule. The reason why these particular diseases were included and others were not was that all these diseases, except one relating to mines, were already diseases mentioned in the Factory Acts as dangerous, and on which the Home Office received reports from all over the country, and the extent to which they were due to particular industries was absolutely certain. Therefore they could without further inquiry be put into the schedule of the Bill. When the Bill was introduced they were obliged, in framing the schedule, to place in it provisionally, and provisionally only, those diseases on which they had full information, but they took power to add to that schedule at any subsequent time. As soon as this clause of the Bill was sanctioned by the Committee his right hon. friend the Secretary of State for the Home Department appointed a Committee to investigate those other diseases. He had the honour of being chairman of that Committee, and he had the advantage of the assistance of such distinguished medical men as Professor Clifford Albutt, Regius Professor of Physic at Cambridge; and Dr. Legge, medical inspector of factories; with Mr. Cunynghame, of the Home Office, who was also well acquainted with these subjects. He regretted that his hon. friend the Member for Berwickshire did not accept an invitation to serve on that Committee. That Committee was appointed at the earliest possible moment; and since the summer holidays they had met usually twice a week and were now en- now engaged in investigating, among others, all the diseases which the hon. Gentleman had mentioned. They had a list of no fewer than thirty trade diseases for inquiry. They had invited trade unions through the Press and also through communication with their Parliamentary Committee to suggest any further diseases for investigation. The Committee were willing to investigate any diseases suggested by any Member of the House. Already they had heard evidence in regard to no fewer than fifteen of these cases. They had visited many of the chief industrial centres of England, and it was his hope and belief that they would be able to present their Report and to introduce the Provisional Order in time to enable it to be passed before this Act came into operation in July next year. It was certainly his full expectation that the number of diseases in the schedule would be multiplied several times before the Act came into actual operation. The question of procedure which the hon. Member had raised was a different point from the question whether or not they should have a schedule. The desire of the Government was to make the list of diseases complete by the simplest and most rapid procedure that could be adopted. They had thought that objection would be raised if they had proposed to throw upon additional industries the duty of paying compensation by simple order of the Secretary of State, but if the House preferred procedure by Home Office Order in this case to procedure by Provisional Order, the Government would have no objection to the change. He would point out that the question of diseases was infinitely more complicated than the question of accidents. If a man was suffering from an accident the fact was easily ascertained, and it could be easily seen whether the accident was due to his employment.

There was practically never any question as to who was the employer who ought rightly to be charged with the cost of compensation. When they turned to the question of diseases they were plunged in a maze of uncertainty. It had to be determined whether a man was suffering from a particular disease; then whether or not that particular illness did arise from his work, or whether it was a disease incident to the rest of the population; and, thirdly, who was the particular employer who ought rightly to be called upon to pay compensation. These difficulties had prevented France from touching this question. Not one of the British Colonies, advanced as they were in matters of social legislation, had ventured to introduce compensation for diseases. Only countries like Germany, which had a compulsory system of insurance not only for accidents but for general sickness, had been able to give compensation for trade diseases. Switzerland had a law on the subject, but it was of very small effect. He would point out what the Government scheme was, and what change in it would be effected by the hon. Gentleman's Amendment. The scheme was that a man who thought he was suffering from one of the industrial diseases should get a certificate from a certifying surgeon, and that in the event of an employer or a workman being aggrieved by the action of the certifying surgeon the matter should be referred to a medical referee. In many cases the medical referees would be specialists who had particular knowledge of certain obscure diseases. Having obtained a certificate the worker could claim as an absolute right compensation from the employer, unless the employer could prove that the disease was not contracted in his employment. That was the essence of the Government scheme. The hon. Gentleman who moved the Amendment did not deal for a moment with the fact that the Bill gave a man the right to compensation unless the employer could disprove the claim. The burden of proof was thrown upon the employer. In the diseases that had been scheduled as attaching to particular industries, in 999 cases out of 1,000 there could be no doubt at all that disease was due to the employment. What his hon. friend proposed by his Amendment was that all that the certifying surgeon had to say was that here was a man suffering from *a* disease. Having got that certificate the workman had only got to go to the Court and ask for compensation, and the Court would be obliged to award it, unless the employer could prove that the disease was not contracted in the course of his employment. They might take, for example, a case of anæmia, a disease widely prevalent among all classes of the population, especially among young women. Any shop-girl suffering from anæmia could get a certificate that she was suffering from that disease, and she would get compensation unless the employer could prove that the anæmia was not contracted in his employment. Again, there was the case of a clerk advanced in years who found himself becoming more and more short-sighted—like most persons. The time might come when he had to give up work on account of this trouble; he consulted the surgeon who would be obliged to give him a certificate, and unless the employer could prove that the short-sightedness had not been contracted in the course of his employment, he would have to pay the clerk compensation. Then there was the case of the agricultural labourer who was suffering from rheumatism, to which farm workers were, partly from the nature of their employment, very liable. He might, if the Amendment were adopted, ask for compensation, not from all the farmers with whom he had been engaged throughout his career, but from the farmer who last employed him, and that unfortunate farmer would be compelled to pay him half wages for the rest of his life. Was that what the House intended? Of course hon. Members might say "omit the burden of proof on the employer and go back to the process of the ordinary law under which the workman would have to prove that the disease was caused in the course of of his employment." But that would be unjust to the wool worker suffering from anthrax, who ought not to have to go into Court to prove that he contracted the disease in his employment, or the workman suffering from lead poisoning. The farther alternative might be proposed, that in these clear cases the burden of proof should be on the employer, in all others on the workman. But then there must be a schedule, and this Amendment could not in any case be accepted. Besides, how could a Court of law decide that an anæmic girl, a short-sighted clerk, or a rheumatic agricultural labourer had contracted their respective diseases in their last employment? It would throw on the Court an impossible burden. It was said of the Act of 1897 by a distinguished Judge that it had brought such a vast number of cases into the Courts that "a scandal of litigation surrounded it." But if this Amendment were adopted the ligitation under that Act would be a mere trifle compared with the ligitation under this, and the Courts would be absolutely choked with cases under it. But there was a further grave objection. What course would employers adopt? They would look very carefully at any man who asked for employment if they were to be liable for compensation to any man who was suffering from any disease. That would involve a medical examination which every candidate for employment would have to pass.

Mr. MARKHAM (Nottinghamshire, Mansfield) said that at present medical examinations were insisted upon.

***Mr. HERBERT SAMUEL** said that in certain industries there was an examination which the men had to pass; for instance, in the potteries, to see whether he showed the slightest tendency to lead poisoning.

Mr. MARKHAM said that the largest engineering firm in the country—Vickers, Sons & Maxim—insisted as a condition of employment on a medical examination.

***Mr. HERBERT SAMUEL** said that that was not at present the rule throughout the country. There would be, besides, if the Amendment were adopted, a periodical examination of persons subject to sickness, and if they were found to be in any degree ailing they would be necessarily dismissed in order to get rid of the enormous burden which would be placed on the employers. It was impossible for the Government to undertake the responsibility of passing legislation embodying a provision of this nature. The Committee of which he had spoken would extend the schedule as widely as possible. They were animated by the desire to bring in everybody who could be properly included, and on that assurance, and in view of the total impracticability of the Amendment as it stood, he hoped his hon. friend would not press his Motion.

***Sir CHARLES DILKE** (Gloucestershire, Forest of Dean) said that the Under-Secretary had had an easy task in treating this Amendment as if it stood by itself. It must be accompanied by Amendments making it a complete proposal. His hon. friend had moved the Amendment in the absence, on account of illness, of the hon. Member for Berwickshire who had made himself master of this question. The reason why the subject involved in the Amendment was raised at this point, and the reason why he intended to support it, was that they desired to see at the earliest possible moment how far the Government were prepared to meet the very strong case put forward against the narrow Government proposal. His hon. friend threw out at once the suggestion that if they dealt with this matter of industrial diseases, in a wider way than seemed to be contemplated by the schedule, it would be necessary to exempt certain trades; and the Under-Secretary met that by saying would it be conceivable that the House would be willing to exempt certain trades? His answer was, certainly it would. That was the course taken when they started this kind of legislation. It seemed to him inevitable that in starting this course of legislation for granting compensation for diseases of occupation they should exempt certain trades unless they proceeded by way of schedule. They had to consider a rival scheme for dealing with these diseases and the Government scheme in the schedule. The Government scheme was altogether too narrow, and he did not know that it contented anybody. Lead poisoning in the Potteries had been already dealt with, but there were other diseases in that district which were not covered by the scheduled diseases in the Bill. He asked the Government how many workers would be brought in by this schedule or by any extension of it which they were promised? The Under-Secretary had raised cheers from a certain portion of the House by saying that within six months a great number of trades would be added to the schedule by means of Provisional Order. But could the Home Secretary say what sensible proportion of those who suffered from industrial diseases would be included by that Provisional Order? They all knew the horrible nature of industrial disease, and they all desired to deal with it. They also knew that it would be dealt with sooner or later, and that the experiment which was being started here would be followed later by other proposals under which the small handful of workers who would be covered by this schedule would be extended. The trades which the Under-Secretary had dealt with in the schedule were industries employing a very limited number of workers, with the exception of the pottery trade and coal-mining. The collier was included, however, only in respect of miners'-worm, a disease from which he was happily at present free. With such a limited inclusion let them contrast the numerous factory trades affected by certain fluffs, certain dusts, and certain dyes—those in which consumption and anæmia prevailed. The Under-Secretary had announced his desire to deal experimentally with certain trades. Against the Amendment he took two examples of diseases with which he thought it was almost ridiculous to suppose that they could hope to deal. He would take the Under-Secretary on his strongest point, which he made quite apart from any question of rheumatism being contracted in agriculture,—anæmia in manufactories. The Under-Secretary mentioned phthisis—[Cries of "No"]—and anæmia. Now, the diseases of women employed in factory life were, according to the inspectors of the Home Office—over and over again expressed in the admirable Reports before Parliament—caused in a high degree by the circulation in certain trades of dangerous kinds of dust, and in certain other trades by the circulation in the air of specially dangerous kinds of dyes. There were in consequence definite diseases from causes which had been ascertained, and science had now grasped the nature of those disorders and had ascertained their exact character and the method of dealing with them. But they came under the sort of designation of the Under-Secretary, who talked about them as unimportant. He would instance anaemia, which meant that women lost their strength and died away of bloodlessness, and was sometimes a perfectly ascertainable trade disease. The Under-Secretary suggested that the diseases which he was putting into the schedule were of a simple type.

*MR. HERBERT SAMUEL: No.

*SIR CHARLES DILKE said the hon. Gentleman just before had used the word "simple." He had also denied that he used the word "phthisis."

*MR. HERBERT SAMUEL replied that on the contrary he had said that many of these diseases were obscure and difficult to ascertain the cause of, but he said that they were known to be specific diseases attaching to particular trades.

*SIR CHARLES DILKE said that the Under-Secretary gave up the case, but they had taken down the word "simple," and he had been intending to demolish him by the opinion of his own officials. Coming to the similar case, that of anaemia, he wished definitely to ask the Government how many workers there were in the trades which were being inquired into and which they were promised should be dealt with next year; what proportion of them were sufferers from these specially dangerous diseases throughout the country. In his opinion it would prove that they were merely trifling in number, in fact a mere handful who were to be dealt with by this order and by local inquiry. He would remind the right hon. Gentleman how in previous Factory Acts, in consequence of strong expression of opinion and pressure in the House of Commons, power had been taken to adopt action after inquiry, by way of Home Office Order. But those who had taken an interest in this question had suffered deep disappointment year after year by the absence of inquiry and action, and generations had died before any progress was made. There was no person interested in manual labour who did not know how they had groaned year after year for this extension of powers, although they gave the Secretary of State, by the stroke of the pen or by means of local inquiry, power to alter matters. The system now proposed was a slower one, however, than that which already existed, and the wheels of it might easily be clogged. For the last ten or fifteen years we had had the dangerous trades ascertained and yet they had not yet been included in the operation of Orders. He stated distinctly that in supporting the Amendment he did so at this point, which was the first point at which it could be discussed, on the ground that the time had arrived when the House should decide whether they would deal with this subject in a general clause or whether they would deal with it in a schedule. If they dealt with it in a schedule let them remember that the schedule was likely to be of a limited description which would for years leave outside the law an overwhelming majority of the cases of industrial disease which ought to be dealt with.

MR. HERBERT SAMUEL said the schedule had to be added to.

*SIR CHARLES DILKE admitted that it had to be added to, but that was upon the statement of the Government that they would inquire into those special trades and the circumstances connected with them. That was to say, that the Government ruled out the intention of ascertaining the industrial diseases of the great trades. [Cries of "No."] That was the way it struck him. He had no object and the Government had no object except to try to obtain the best solution of this question, but he did feel very strongly, having given much time and thought to the subject, that the plan of proceeding by schedule was not likely to achieve that success which the Home Secretary expected. The right hon. Gentleman seemed to think that there was a chance before them of an immense extension of this schedule, but he did not see any such prospect. Anthrax was already covered by the law, and lead poisoning was covered by the law under Lord James of Hereford's scheme. [MR. JOHN WARD: But that only applies to the Potteries.] That was so. It only applied to the Potteries, and other industries were still unprotected. The other four diseases mentioned in the schedule were small special diseases, and one of those included was miners' worm, a German disease, which did not exist. The other three out of the four were confined to tiny trades so far as the number of persons employed in them was concerned, but the great trades were not dealt with. If the Home Secretary could assure them that he was going by Order in Council and special inquiry to deal effectively with the great trades, their objections would be met.

MR. LYTTELTON (St. George's, Hanover Square) said he wished to speak with great moderation on the principle of this Amendment, because it was in itself difficult to discuss in its present form. He was speaking only for himself, because he was sure that what he said would not have the assent of some of those with whom he usually acted. He should like for a moment to look at the broad principle which he conceived this Amendment to raise. The plan of the Government was practically to leave the question of compensating for diseases arising from dangerous trades by making it a condition of compensation that there should be certification by the Home Office. That was the condition of another trade being subjected to liability for diseases arising in it. The policy of the Amendment was that experience of what diseases, in point of fact, arose from dangerous trades should be gleaned now and in the future as they came along in those trades, so that there would not be outside of all remedy a number of trades from which diseases arose but regarding which a certificate had not obtained from the Home Office putting them in the category of dangerous. The consideration which arose under the Bill as it stood was admittedly that there were a large number of dangerous trades outside the purview of the Act altogether. His hon. friend who put down this Amendment, seeing the exceedingly small number of trades which were scheduled, and knowing, from his own personal experience of many years, that several dangerous trades existed which ought to be scheduled, conceived that it was necessary to place this Amendment on the Paper in order that an explanation of the position of the Government might be extracted. As the Bill stood a number of people who would be excluded from the benefits of this clause altogether, and they would not merely be excluded, but they would have the bitterness of feeling that a number of others not less or more deserving than themselves were included in the benefits from which they were excluded. In the absence of his right hon. friend the Member for West Birmingham, who was the author of all this legislation, he regretted it as a peculiar misfortune that the graciousness of this legislation should be taken away and the consciousness borne in upon many people of the poorest and most suffering classes that they were excluded from the benefits of the Act, while a number of others not more deserving than they were included. When once a principle was established in measures of this sort and they were satisfied that it was sound and right, he thought there was a great deal to be said for graciously conferring its benefits upon all who might be entitled to them. If these benefits were extended by the experience gained as they went along, great inducement would be put on employers to take adequate measures for preventing diseases as they arose instead of leaving them until the trades themselves were scheduled. In that way suffering generally would be hindered and prevented in future. He claimed that the principle of this Amendment had two merits. In the first place, the graciousness of the legislation would not be impaired to all classes of workers who could establish in a Court of law that they had suffered and that their suffering was due to their employment; and in the second place, it would offer an inducement to employers to prevent the diseases from which the suffering arose. That was his object, and he freely recognised that that was also the object of the Government. The whole question between them was one of procedure. The Government had put in the schedule five or six trades which they conceived to be dangerous, and the whole question was whether a more reasonable procedure was not provided by the Amendment. He was sure after what his right hon. friend said the other day, in a manner which gained the sympathy of the House, that the Home Office was enormously pressed with work at the present time, but still the Report of the Commission on Dangerous Trades had shown that seventeen trades were dangerous while only five or six had been scheduled in this Bill. He must say, notwithstanding the good will of the Home Secretary and the Under Secretary, that that experience was not encouraging to those who believed that a case had been established for the inclusion of all dangerous trades; and he did not think that without a great deal of expense any one would be able to convince the Home Office to certify many more trades than they had done. He would, however, await the explanation of the Home Secretary, which of course might alter their opinion. One word as to the procedure suggested by the Amendment. He gathered from his hon. friend who moved it that the agricultural industry and the sea-faring trade would be excluded from its operation. [Cries of "Why?"] He thought it was quite impossible that they should be included. [Renewed cries of "Why?"] He would tell hon. Members. He did not think that it was in contemplation by those who moved the Amendment, that illnesses which happened from exposure to the elements at sea, or in the course of agriculture should come under the Bill. [Renewed cries of "Why?"] He was not speaking for the mover of the Amendment, but he was speaking for himself. He would not support it if he did not think that the assurances of those who represented labour went to show that under the Amendment such illnesses would be excluded from the operation of the Bill. He thought the proper way was to exclude those particular industries. Having arrived at that, they would have this position under the Amendment in the case of other trades. Before the workman who was suffering from a disease arising, as he thought, from his employment could get any compensation he must satisfy a doctor that he had suffered from a disease of that kind. That decision of the doctor would be subject to an appeal to a medical referee. In 999 cases out of 1,000 that would practically finish the matter, but if it did not, having the assertion of two doctors that the disease existed, the workmen would have to go a step further and show to the satisfaction of a legal tribunal that the disease which had been certified to exist did arise from the nature of the employment. [Cries of "No."] He was speaking of the Amendment as he understood it. He quite agreed that the serious objection to the Amendment was that litigation of a somewhat expensive character seemed to be embodied in the proposal, but he maintained that as a matter of practice, if a disease had once been certified by unquestionable authority to exist and there was no doubt about it, and if it was a disease which doctors said arose from the employment, the litigation would not be frequent or prolonged. One case would probably decide many others. He did not think he need say anything more upon the present occasion, as he knew other hon. Members were anxious to speak. What he wished to urge upon the Government was that they should satisfy themselves whether in the form of this Amendment they had not a more expeditious method of proceeding than by way of their schedule. He confessed that he was much impressed by what the right hon. Baronet the Member for the Forest of Dean had said about the expedition which had been commonly shown in this matter. He was impressed with the fact that since 1896 only five out of seventeen trades certified to be dangerous by the Departmental Committee of which the hon. Member for Berwickshire was chairman had been included in the Bill. He was also impressed with the fact that when they were the subject of Home Office inquiry as to whether they were dangerous or not, it was an expensive and lengthy process, and he would feel far easier if he knew that a workman suffering from disease caused by his employment could obtain compensation with due safeguards to his employers. They would be protected by the certificates of two doctors to the effect that the man was suffering from the disease, and that it was caused by his employment. He would feel better satisfied if the Act introduced a system resting upon experience instead of depending—he would not say on the caprice because that would not be possible — but on the *ipse dixit* of a Department which had not shown itself very expeditious in the past in dealing with these matters.

*MR. WEDGWOOD (Newcastle-under-Lyme) said he was not sure in which way the authors of this Amendment intended the onus of proof to lie. If the onus of proving that a disease was incidental to the nature of employment was to rest with the workman instead of with the employer, he and his friends from the Potteries would resist that to the end. It ought to be their object, not to push others out of any benefit, but to bring others in. They wanted to get as many people as possible included in the schedule. They did not want to strike out the whole of the third schedule, which was, so to speak, their sheet anchor. As far as the Potteries were concerned, he had it on the best authority that there was a new Pottery disease to be added to the schedule which was being considered by the Home Office Committee. If the onus of proof was to be left to the employer they would have what would amount to a general sickness insurance throughout the country. Practically every case of sickness that could be called a disease was bound to be insured by the employer under the Amendment. They had cases of influenza and phthisis cited, but, practically speaking, the only disease that a workman might have and not receive compensation for under this Amendment was delirium tremens. He considered that this discussion would have done good if it had only brought sickness insurance before the House, because he was confident there was no question so important for the working classes of this country as that sickness should be insured against and that they should receive some compensation for it similar to the sickness insurance in Germany. But the way to get that was not by the Amendment, which would lead to endless litigation. Under this scheme there would be no possible supervision over cases of sickness with the view of reducing them and stopping malingering, and there would be the greatest possible outcry in the country as to the unfairness of forcing the employer to pay the sickness insurance. They should raise money for sickness insurance in the cheapest way and not as was proposed.

*MR. KEIR HARDIE (Merthyr Tydvil) said the Amendment did not raise the question of general sickness, but it proposed to extend to workmen who were not employed in the scheduled trades the same privileges that were to be given to those under the schedule. All that was required for the purpose of the Amendment was that the disease must be shown to be due to the nature of the employment before the claim for compensation could arise under the Act. That was perfectly clear. The question was whether all workmen were to have the right to recover for disease due to their occupation or only those in the trades scheduled. The Under-Secretary for State, who, he hoped, had not said the last word for the Government upon this point, had raised considerable fears in the minds of Members by referring to the onerous cost which would be thrown upon employers, and had said that if this Amendment were carried very probably employers would be careful as to the health of the workmen whom they employed. He admitted that, but the arguments applied equally to the scheduled trades. Whether they had this Amendment or not the medical certificate which the Under-Secretary said would be necessary would become increasingly common when workmen were seeking employment. Might he further point out that anæmia and rheumatism were not diseases due to any special occupation? Rheumatism was common to people who had free-living ancestors behind them as well as to agricultural labourers who were exposed to the weather. Before compensation could be claimed it would have to be shown that the disease was particular to an occupation. All that they asked was that workpeople who were not now included in the schedule should have the same right as those who were included to recover compensation. They did not say a man who got a cold should be compensated, but if, for instance, a stonemason contracted lung affection through inhaling dust, that was a disease arising directly out of his occupation, and he should be as entitled to compensation as if he fell from a scaffold. He hoped the distinction would be kept clearly in mind. He trusted that as the Government was making a beginning with this principle of compensation for industrial diseases they would not make two bites at the cherry, but would see to it that the clause was so broadened and extended as to include within the scope of compensation every workman who suffered from industrial disease.

*MR. GLADSTONE said that, as his hon. friend observed, they were all anxious to find a solution of this question. They were anxious that that solution should not be delayed. Without any absolutely preconceived scheme he had listened to the discussion with a view of finding out whether there was before the House any practical alternative to the remedy proposed by the Government. So far as he could observe, not one of the hon. Members who supported the Amendment agreed with another. First of all, they differed as to what the Amendment really was. Then there was a conflict of opinion as to the exclusion of agriculture. He failed to see why, if this Amendment were adopted, agriculture or seamen should be excluded. Again, there was the point as to the burden of proof. The words of subsection (2) of the clause remained standing. There were many consequential Amendments on the Paper, but there was none excluding the last two lines of that sub-section. So long as those words stood it was quite clear that the onus of proof was on the employer. When the certifying surgeon certified that a workman had a disease his duty ended. Then the man went before the tribunal which had to decide as to his disease.

MR. LYTTELTON: He would under the right hon. Gentleman's scheme, but not under the scheme of this Amendment.

*MR. GLADSTONE disagreed with the right hon. Gentleman. He was dealing with the Amendment. Until it was shown that there was a substantial alternative the Government were justified in maintaining their ground. It had not been shown that there was that substantial alternative. Then there had been developed a fourth point of view amongst those who supported the Amendment. His right hon. friend the Member for the Forest of Dean, who spoke with a wealth of knowledge on these questions, petitioned for information. He would frankly tell his right hon. friend that the Government could give him none now. The reason was that they were only on the threshold of this business. He thought the hon. Member for the Blackfriars division of Glasgow would agree with him when he said that he had never drawn attention to the occasions on which he had supported proposals more extreme and advanced than the Departmental Committee recommended. He had always recognised that it was due to the hon. Member to say that when he served on that Committee he was not able to see eye to eye with all of them, although he did not differ in the memorandum he appended to the Report. The hon. Member's only anxiety was to give the benefit of his experience and influence as one of a united body having regard to the general importance of the whole subject under consideration. The Committee of 1896 considered this question very carefully; and here he might observe—in reply to his right hon. friend opposite, who had seemed to bring up on his side the right hon. Gentleman the Member for West Birmingham, and had suggested, as he understood him, that, if he had been present, the right hon. Gentleman would have supported the Amendment—that the right hon. Gentleman not only opposed his hon. friend the Member for Berwickshire in 1897 when he brought forward this subject, but did him the honour to accompany a deputation he received some time ago and spoke most strongly on the particular proposal in the Bill, urging that it was extremely dangerous. The Committee of 1896 reported against dealing with the question, and the Government were thus face to face with the unanimous recommendation of a powerful Committee, and they felt that they must proceed in the matter tentatively and by cautious steps, because, if they were to make a false step, they might land the workmen of the country in a most unfortunate position arising out of the litigation they might be compelled to engage in if they wished to prove their case. Under such an Amendment as this the unfortunate workman would have to wend his tortuous way to compensation through the law. As to the action of the Home Office on this question during the last ten years, he could not admit that it had been in any sense dilatory. If there had been dilatoriness in any public office, those who were at the head of the Department were responsible. From his experience as Under-Secretary ten years ago, and during his tenure of his present office, he was able to say that the officials of the Home Office would spare no effort to respond to any appeal made to them. If there had been any dilatoriness it certainly was not the fault of the Home Office. He did not know what the hon. Member for North West Ham had got hold of when he made the statement that only five out of seventeen trades had been dealt with. He held in his hand a Return which showed that twenty-five trades had been dealt with and were now placed under regulations, and there were others about to be brought under rules and regulations.

MR. LYTTELTON: The point was that they were not in the schedule.

*MR. GLADSTONE said he was trying to show that there had been great vigour shown in the Home Office in connection with the work of the Dangerous Trades Committee, and he might say that the same vigour would be brought to bear upon any steps the Department might be called upon to take under this Bill. His hon. friend had already shown the practical difficulties of the scheme which had been adumbrated by the hon. Gentleman. He admitted that in regard to procedure by Provisional Orders there was a difficulty. He might say that the Provisional Order proposal was not put in because they were enamoured of that method, which was sometimes very convenient and at other times was not. The Provisional Order was proposed in anticipation of the criticisms which the Government believed would be showered on their heads if they ventured to deal with this matter without consulting Parliament. It now appeared that they were not so much blamed for their scheme as for not going a great deal further. In these circumstances he would be glad to see what could be done to meet the views of his hon. friend. He would undertake to see that no time was lost by the Committee in completing their inquiry, and he would be prepared to accept an Amendment, or to propose one, altering the Provisional Order scheme, so that the Home Office, as soon as it was satisfied from inquiry that a particular trade should be added to the schedule, would be able to add it. He hoped these assurances would be satisfactory.

MR. A. J. BALFOUR (City of London) said the right hon. Gentleman began his speech by making some criticism of the variety of opinion expressed on the part of the supporters of the Amendment. He thought there was some justification for the right hon. Gentlemen's complaint. It was true that the hon. Gentlemen who had spoken in favour of the Amendment had not all used precisely the same language, and that they had not advocated precisely the same plan. That was due to the fact that, in regard to this question, the House was in rather a perplexed frame of mind. There was a problem to be solved; they were not quite clear how it was to be dealt with; they were well aware that any solution had difficulties in its way. For his part he felt, after listening to the debate, that to reject the plan of scheduling particular diseases incident to particular trades would be to embark on a dangerous course. He did not say that they might not be obliged at some future time to proceed on the German method and to arrange that all cases, both of accident and of sickness, should be met by some form of insurance. That was a plan simpler in the sense that it did not lead to litigation; and although contrary to many of our most cherished methods of legislation, it was not open to the particular objections that seemed to be applicable to the plan which some hon. Gentlemen opposite desired to see adopted in this Bill. He was certain that they had got to choose between restricting the compensation to those cases in which disease was really specific to an industry, and some plan of much wider scope which would include every malady incident to the workers of the country. He did not believe in a half-and-half plan which would inflict infinite hardship on both the employed and the employer. What was the alternative plan of the Government? It was suggested that, somehow or other, if a man got a disease it should be thrown on the Courts of law to determine whether it was or was not due to his employment. If due to his employment he was to have compensation; if not, there was to be no compensation. Did not that scheme carry with it obviously on its face not merely that it had difficulties in regard to the degree of litigation, but a manifest ignoring of the plain truths of medical science? All of us were mortal, and our death was preceded, not uncommonly, by some disease, occasioned always, or almost always, no doubt, by something in our environment touching the weak spot in our separate organisations. That was the common law of nature. If that were so, was it not always true in one sense that our diseases were due to our occupations? That was to say, the human frame broke down because the weak spot was touched or affected by something in our surroundings. Cases of rheumatism and consumption had been referred to. If a growing young person of either sex showed a consumptive tendency they could, he believed, do nothing better than give that person an outdoor occupation. But this carried with it liability to rheumatism and other diseases, the consequence of exposure; and he wanted to know how they were going to deal with the complaint of a subject with some tendency to consumption who was not immune from these other diseases. A young woman entering a shop got anæmia, and got it undoubtedly because she was in the shop. Did that make anæmia a disease incident to that particular business? Suppose, *per contra*, she entered, as young women of delicate constitution constantly did in his part of the country, into the fields to work and got some malady consequent on exposure? Was she to be compensated for anæmia if she went into a shop or into service and for rheumatism if she went into the fields? They could not say that those diseases were incident to the employment. If they did they would get into hopeless muddle. Was it not manifest that if they were to treat this matter as analogous to compensation for accidents they must take the diseases which were quite plainly specific to the occupation, treat them as incidents of the industry, spread the charge over the whole industry, and get the insurance for the workmen out of the industry as a whole? If they meant to go further and make every disease to which poor humanity was liable a subject of compensation they would produce a crop of litigation, and no other crop whatever. If these were the cases they meant to meet, let them boldly take the course of universal insurance, taking something from the workman and something from the employer so that everybody would be protected against the changes and chances of this mortal life, and deal with the subject in a comprehensive spirit. But let them not make legislation an absolute farce and absurdity by attempting in a Bill dealing with compensation for workmen to deal with those common misfortunes, universal maladies, and incidents from which none of us were free, and which could not be dealt with in any measure immediately directed against particular and special misfortunes. They must be dealt with on broader lines and by other methods, and in a manner which would comprehend all trades and occupations. These were the conclusions he had come to from listening to the debate, and he would support the Government in resisting the Amendment.

Mr. MOND (Chester) said that the argument of the right hon. Gentleman the Leader of the Opposition, interesting as it was, was not very much to the point. It had been said that the one thing which was not included in the German workmen's compensation law was compensation for sickness; but he would quote from the German law on industrial accidents. The definition in that law was very wide and included any injury whatever to the body, or any mental disturbance such as insanity and hysteria. These were subject to compensation. That went very much further than the Amendment of his hon. friend. People who always talked about German legislation should take the trouble to read it. His hon. friend the Under-Secretary had said that the Government could not accept the Amendment because we had not got the German system of insurance. If they were told that nothing could be done in the direction indicated by the hon. Member who moved the Amendment, it was obvious that the House was quite ready to allow hundreds of thousands of miserable people to perish without doing anything for them. For his part, he could not understand, if a man went down into a mine and was injured by disease on which paralysis followed, why he should not be as much entitled to compensation as if his skull had been fractured by a chunk of coal falling upon him. The whole difference between the Government and those who supported the Amendment was, to his mind, that the latter said that an accident caused by disease was as much an accident as an accident caused by machinery, and that compensation ought to be paid in both cases. They had not had from the Government any attempt to deal with the difficulty of definition—a difficulty which he had admitted. They had been charged with not attempting a definition, but it would be absurd for them to do so without knowing if the Government would first accept their Amendment. He would like to ask the Home Secretary whether he was right in understanding that the Government were willing to accept an Amendment to sub-section (6) to omit the words "from any such order" to "in like manner." That would simplify procedure.

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Mr. MOND said that all that he and his friends asked was that all trades now certified as dangerous should be put into the schedule.

*Sir FRANCIS POWELL (Wigan) said that he had taken an active part in the Committee upstairs and had very carefully considered all the provisions of this Bill. It was only due to the Government to say that he highly approved of the new and salutary proposals introduced into the Bill. Five diseases were mentioned in the schedule, two of which affected industries with which he was associated. The first of the cases mentioned was anthrax, which was highly interesting because it was thought to be outside this particular legislation, but by the decision of a Court such had been proved not to be the case. Anthrax was connected with a particular class of raw material only found in certain district. He entertained some doubts as to whether it would not be right for the Government to empower the Customs to exclude raw material which was known to contain such dangerous elements. The next case was that relating to a disease connected with the mining industry. He believed that that terrible disease—ankylostomiasis—had not found its way into this country, but he was sure the Government had acted with wisdom and prudence in placing it on the list which they had put into the Bill. It had been remarked by previous speakers that the schedule was meagre, but he would remind the House that it was adopted in the Standing Committee by the Labour Members, whose position and exceptional ability were acknowledged. He certainly felt that the schedule would be extended from time to time. A disease well known in the textile districts was consumption. As that disease was sometimes generated by the heated atmosphere of the mill it was an industrial disease and might be treated as such. It appeared to them that there must be in all cases a margin in order to meet the cases of those who would otherwise be just excluded. He hoped that as time went on there would be a large extension of the principle of compensation, and that that would go on until they had a general insurance against all diseases. He was glad to hear the remark of the Home Secretary as to the system of Provisional Orders, and that the last word had not been spoken as to that mode of procedure. There was a danger in any system of uniformity, and he looked to the Government to bring forward a measure to simplify procedure in all these cases. As representing an industrial district he rejoiced most sincerely in the extensions which had been made by the Bill, and he thanked the Government for the action they had taken.

MR. SHACKLETON (Lancashire, Clitheroe) said he did not wish to take up the time of the House, but everybody would see the gravity of this matter and recognise the importance of the discussion. There was a great spirit of unrest in regard to this matter, not only on the part of the workpeople, but on the part of a large section of the public who were determined that something should be done for those dangerous trades which were not included, and that relief should be given to the people who suffered as the result of their occupation. He wanted a further assurance upon this matter. He quite recognised that this year the right hon. Gentleman had appointed a Committee which would no doubt shortly report, and, so far, that was good. But he wished to see the cumbrous method of getting these trades into the schedule considerably modified. He thought the Home Office might adopt some plan by which it would be more easy for people who had no direct representation in this House to deal with the matter. It was quite true that Labour representatives could press the needs of their own particular societies at times, but there were many sections of labour who had not that opportunity, and the Home Office should not make it difficult for them to get on the schedule. For years at least seven trades had been certified as dangerous, yet they were not scheduled, and the House should have a promise from the right hon. Gentleman in regard to those seven trades that they should, if not immediately, at least in the near future be scheduled. Surely it was not necessary when nothing had been done for ten years to go on with inquiry after inquiry when facts had already been decided and recommendations made. The time of Departmental Committees should not be wasted in going into these matters over and over again. If the right hon. Gentleman would give an assurance that these seven trades should be considered with regard to their being put into the schedule he would have gone some way towards getting the House out of its difficulty. They ought to be inserted in the schedule, and the people engaged in them should receive the benefit of the provisions of the Bill. Besides the seven to which he particularly referred there were at least fourteen others which had been recommended for application, but which were not yet certified. With regard to the seven that were on the list he asked that some steps should be taken by the right get the insurance for the workmen out of the industry as a whole? If they meant to go further and make every disease to which poor humanity was liable a subject of compensation they would produce a crop of litigation, and no other crop whatever. If these were the cases they meant to meet, let them boldly take the course of universal insurance, taking something from the workman and something from the employer so that everybody would be protected against the changes and chances of this mortal life, and deal with the subject in a comprehensive spirit. But let them not make legislation an absolute farce and absurdity by attempting in a Bill dealing with compensation for workmen to deal with those common misfortunes, universal maladies, and incidents from which none of us were free, and which could not be dealt with in any measure immediately directed against particular and special misfortunes. They must be dealt with on broader lines and by other methods, and in a manner which would comprehend all trades and occupations. These were the conclusions he had come to from listening to the debate, and he would support the Government in resisting the Amendment.

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MR. FENWICK (Northumberland, Wansbeck) said he was glad the Home Secretary had been able to make a statement to the House which would obviate the necessity for going to a division on the Amendment. He believed there was very little difference between the intentions of the Home Secretary and those who desired to support the Amendment. What was the position in which they stood? The Home Secretary intended that the Bill should apply to diseases incidental to and arising out of the nature of the employment, and that if a man suffered from such a disease he should be entitled to claim compensation while the incapacity lasted. Some diseases were mentioned in the third schedule, but he regarded the schedule as merely an indication of the lines that were to be followed when the Bill came into operation. In sub-section (6) of the clause the Home Secretary took power to bring in a Provisional Order Bill extending the benefits of the Bill to other industries or processes of industry. He was glad that the Home Secretary had agreed to amend the next paragraph in sub-section (6) because therein lay the crux of the whole question. What he objected to was that the Home Secretary, having taken power by means of Provisional Orders to extend the advantages of the clause to other industries not mentioned in the schedule, and other diseases not now known to the medical faculty but which might in the process of time become known to them, should have to wait until by Act of Parliament the Provisional Order was confirmed. He desired that the Home Secretary, when satisfied that a disease was one incidental to or arising out of the nature of the employment, should immediately schedule that disease and employment as dangerous. The Home Secretary acted upon his own responsibility; he was responsible to Parliament, and his conduct had to be reviewed from time to time, so that if the House was not satisfied with his action or inaction they would pretty well keep him up to the mark. It was difficult, if not impossible, to mention every disease and every trade in the schedule to an Act of Parliament, and he should feel alarmed at the length to which such schedule might run. There would be ample protection if the Home Secretary would amend or strike out altogether the provision referred to, and leave himself the power to act upon his own initiative or upon the advice of the certifying surgeons of the respective districts in which the dangerous trades existed. By taking that course a division on the Amendment would be obviated. At any rate, he felt it due to the House to say that if that line were taken he should be disposed to support the Government against the Amendment.

*MR. HERBERT SAMUEL said the hon. Member for Clitheroe had urged that all trades certified as dangerous should be brought into this clause, but he would remind the hon. Gentleman that some trades were certified as dangerous not on account of any disease they engendered but because of special risks. Others were certified because of disease, but the disease itself was seldom mentioned in the rules. If the Government were to schedule those trades any man who worked at them would be able to get compensation for any disease from which he was suffering. That was not, he knew, the object of the hon. Member who wished to get trade diseases on the schedule. If this matter was dealt with by rules instead of Provisional Order he thought he could promise that before the Act came into operation all clear cases of trade disease would be inserted.

*MR. GLADSTONE said he proposed when they came to sub-section (2) to alter it by omitting the provision. A subsequent Amendment of the Government altered the first lines of the next paragraph so that Clause 6 would stand by itself and give the Home Office direct power to act.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he rose, as a member of the Grand Committee, to make an appeal to the Member for North West Ham After the explanation given by the Home Secretary he wished to ask him to withdraw this Amendment. He was perfectly sure the hon. Member had the interests of the workmen at heart, but the hon. Member admitted there were great difficulties in the way. Those difficulties arose from the fact that there was hardly an employment in this country that did not apparently bring some kind of disease or illness with it. It was obviously impossible to include all cases. What was intended by this Bill was that industrial diseases should be included and compensated for. The Government scheduled certain diseases and they now proposed to deal with others by rules. The suggestion was that as soon as the Departmental Committee reported, if they reported that these diseases were industrial diseases, they should be included. That, however, was not to be the end. In the future if other diseases were discovered that ought to be included all that would have to be done would be to approach the Home Office, prove the case, and those diseases would also be included. He hoped under these circumsances the hon. Member would withdraw his Amendment.

MR. MASTERMAN said he understood the right hon. Gentleman had given to the House an assurance that the Provisional Order scheme should be abandoned by a Government Amendment, and he understood from the hon. Member that under Section 1 these other trades would be included. He could not in the least pretend that he personally was satisfied, but he gathered a sufficient number of hon. Members were satisfied, and, therefore, he would not press the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 9, line 1, to leave out sub-section (b) (i)."—(*Sir Charles Dilke.*)

Question proposed.

*MR. HERBERT SAMUEL said this sub-section was put in in Committee in order that they might give an indication to the Court as to what ought to be included in "serious and wilful misconduct," and in order that a greater incentive might be given to the workmen to observe the rules made for their protection. The Government had now made an alteration in the application of the provision relating to "serious and wilful misconduct" which would necessitate putting a similar provision in this subsection; and this would make it extremely complicated. Everything of substance that this paragraph proposed would be covered by "serious and wilful misconduct," and the Government therefore accepted the Amendment.

LORD R. CECIL (Marylebone, E.) thought that the sub-section would be of real value in tending to diminish the incidence of these diseases. The arguments of the hon. Member for North West Ham, to whom he had listened with great sympathy, applied with equal force to the workmen, and it appeared to him to be extremely desirable to put upon the workmen in the clearest terms the obligation to observe reasonable precautions. He did not follow the observations of the hon. Member the Under-Secretary. This clause dealt with disease and not with accidents, and it was always more difficult to induce people to take precautions against disease than against accidents. They could see dangerous machinery at work, and therefore took precautions against accidents, but disease they did not see, and it was difficult to induce them to believe in the danger or to bring it before their imagination in a sufficiently vivid manner to induce them to protect themselves against it.

MR. AKERS-DOUGLAS said he was sorry the Government had given way in this matter. He did not think the words put in sub-section (1) covered the whole point. What had to be done was to make the workpeople as careful as possible, and experience showed that less precaution was taken against disease than against accidents, as his noble friend had pointed out. He admitted that these words did not make much difference, but if the right hon. Gentleman desired to reduce the number of accidents he should place as much warning before the workpeople as possible. Every Member of the House must be actuated by the same motive, which was to prevent the cause which led to these applications for compensation for disease.

*Mr. WEDGWOOD said that in North Staffordshire certain conferences had taken place between the employers and workmen in the potteries industry on this very question, and, although no definite agreement had been come to, he thought he knew the reason why the employers wished these words to remain in the Bill, and why the workpeople desired to have them taken out. The employers wished them to remain to prevent accidents. Disease did not come suddenly, and the employers wanted these words to be constantly in front of the workpeople in order to warn them of what the consequences of neglect might be. But there were other considerations. There were at the present time three ways of insuring that the rules drawn up by the Home Office were enforced. There was the factory inspector, the periodical visits of the certifying surgeon and his examination of all the workpeople, and the enforcement of strict obedience to the rules. The factory inspector, however, could not visit every pottery very frequently, and when he made his visit he might not find the rules being broken, but nevertheless the rules were frequently and constantly broken. The whole object of legislation should be to see that the rules were not broken. And this would be facilitated by this Amendment. The person who could best do that was the employer, and if he saw definitely once and for all that he would have to pay compensation in the case of lead-poisoning whether the workmen had contracted the disease through disobeying the rules or not he would be far more careful in seeing that the rules were obeyed. The rules were broken in many cases by men smoking, and by both men and women making tea, and by women eating sweets in the dipping house. All these rules were broken repeatedly, and that was the cause of a great deal of the lead-poisoning. If it was made quite clear that no amount of breaking the rules would debar a man who contracted disease from obtaining compensation the employers would see their rules obeyed even if they had to take the drastic measure of dismissing some of their employees. It would be therefore just as well to leave these words out of the Bill. He did not wish it to be imagined that employers had ever refused to pay compensation in cases where disease had been contracted through disobedience to the rules. That had never been the case.

Amendment agreed to.

Amendment proposed to the Bill—

"In page 9, line 8, after the word 'himself,' to insert the words 'in writing.'"—(*Mr. John Ward.*)

Amendment agreed to.

*Mr. GIBBS (Bristol, W.) said the object of the Amendment he now proposed was to insure that, where a disease was not contracted in his employment it should not be incumbent upon the employer to find out where his employee had contracted it. In the case of a man who had been working in many places it would be a matter of extreme difficulty to the employer to find out where the man had contracted the disease. He did not think it would be difficult for the certifying surgeon nowadays to ascertain how long a man had had a certain disease, and from that it would be pretty clear where the man had contracted it.

Mr. HICKS BEACH (Gloucestershire, Tewkesbury) seconded. The clause as it now stood appeared to inflict an excessive obligation on the employer. If a man developed an industrial disease a week after going into the service of an employer, that employer would have to pay compensation for a disease contracted before the man entered his employ, unless he proved in whose service the man contracted the disease. He thought it was the general intention of the House that the Act should be as fair as possible to both employers and employed, and while he admitted that the obligation should be cast upon the employer to prove that the disease was not contracted in his employ, he thought it was rather hard that he should have to prove who the employer was in whose service the disease was actually contracted.

Amendment proposed to the Bill—

"In page 9, line 14, at the end, to insert the words 'Unless the employer proves that the disease was not in fact contracted whilst the workman was in his employment, but without any obligation on the employer to prove in whose employment the workman was when he contracted the disease.' "—(*Mr. Gibbs.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. HERBERT SAMUEL said this Amendment touched one of the most complex and difficult problems they had to deal with in this clause. In the case of accidents the matter was simple. There was no doubt, or very little doubt, as to the employment in which a workman suffered an accident. A disease, however, might have been contracted some months before the incapacity declared itself, and during its incubation the workman might have moved about in different employments, and the question was as to who was to pay the compensation. There were two alternative courses. One was to allow the workman to pick and choose, and go against any employer who had employed him during the last twelve months; if he failed against one he would proceed against another. That would lead to litigation in a great number of cases which the Government desired to avoid. The other alternative was that the workman should go against the employer in whose employ he was at the time of the incapacity. In the majority of cases the disease would have been contracted in that employment; but cases might arise in which the master could show that the disease was not contracted in his employment and a process was provided whereby the liability was put on to a previous employer. There would be very few such cases. This Amendment would involve two proceedings in those cases instead of the one suggested in the Bill in the interests of cheapness and expedition. Where the last employer showed that a man, admittedly suffering from an industrial disease, had not contracted it in his employment, the Court would usually hold that that fact was in itself a proof that it had been contracted in a previous employment. He admitted the possibility of a case arising in which a workman refused to or did not furnish his last employer with the names and addresses of his former employers, but such cases would, he thought, be exceedingly rare. If hon. Members desired it he had no objection to inserting the following Amendment to meet such a case: "And, if such information is not furnished, that employer, upon proving that the disease was not contracted whilst the workman was in his employment, shall not be liable to pay compensation." He did not think this was any hardship on the workman, because he ought to be able to say who his previous employer was. If he could not say who he was, then, if his last employer could prove clearly in Court that the disease was not contracted with him, the workman would have to forego his compensation.

*SIR FRANCIS POWELL said that unless something in the nature of this Amendment were inserted the employer must feel that he was hardly dealt with. The burden which would rest on the employer of proving that the disease was not contracted whilst the man was in his employ would be a very heavy one, and one which only in extreme cases could be borne. Unless, however, the Amendment were carried the employer would have to bear a burden he ought not to bear, and one which would inflict an additional weight on industries already unduly loaded.

MR. RAWLINSON (Cambridge University) admitted that the proposal of the Under-Secretary was a step in the right direction, but said it did not meet the difficulty which this Amendment was put forward to remove. Surely it was a monstrous act of injustice that an employer who had proved that the illness of the workman was not contracted in his employ should be liable to pay compensation unless he could prove, which it was almost impossible for him to do, in whose employment the workman really did contract the disease. They must deal with this section not only with a regard to the diseases in the schedule but having regard to other diseases which he hoped would be added to the Bill. It was perfectly possible that a workman might have been in various employments during twelve months. If the Amendment were carried there would be nothing to prevent the man making his claim against the employer in whose employment he thought he contracted the disease. If that employer desired it the workman could add if he chose, two or three other of his employers, and it would be for the

Court to determine whether he acted reasonably, and in that case the unsuccessful employer would have to pay the costs of the other people. That was very different to the section as it stood, because it forced upon the innocent employer the very heavy burden of either paying compensation to a workman to whom morally he was not liable, or taking the risk of selecting a previous employer of the workman.

Mr. GIBBS said that though the Under-Secretary had not gone so far as he could have wished, he would ask leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Amendments proposed to the Bill—

"In page 9, line 16, after the word 'workman,' to insert the words 'or his dependants.'"

"In page 9, line 17, after the word 'with,' to insert the words 'such information as to.'"—

"In page 9, line 19, after the word 'months,' to insert the words 'as he or they may possess.'"

"In page 10, line 6, to leave out the words 'from whom compensation is recoverable,' and insert the words 'who last employed the workman during the said twelve months in the employment to the nature of which the disease was due.'"

"In page 10, line 30, after the word 'be' to insert the words 'such date as the certifying surgeon certifies as the date on which the disablement commenced, or if he is unable to certify such a date, the date on which the certificate is given. Provided that.'"

"In page 10, line 33, after the word 'disablement,' to insert the words 'the date of disablement shall be.'"

"In page 10, line 38, after the word 'disablement,' to insert the words 'it shall be.'"

"In page 10, to leave out lines 39 and 40."—(*Mr. Herbert Samuel.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 11, line 6, to leave out the word 'Provisional.'"—(*Mr. Gladstone.*)

Question proposed, "That the word 'Provisional' stand part of the Bill."

*Mr. COCHRANE asked for an explanation of this proposal.

*Mr. GLADSTONE said it was originally intended to proceed by Provisional Orders, but the House had expressed itself desirous of proceeding by Orders issued by the Secretary of State.

*Mr. COCHRANE asked if those Orders would be laid upon the Table of the House as was done in the case of Provisional Orders. He thought both sides of the House would agree that they ought to have an opportunity of considering and reviewing them.

*Mr. GLADSTONE said this point had been discussed earlier in a general debate, and he understood that the promise he made to omit the word "Provisional" was generally accepted.

*Mr. COCHRANE said they did not understand that those Orders would not be laid upon the Table of the House. He thought they ought to be subjected to discussion in the same way as an ordinary Provisional Order. He was afraid that by this alteration the House was losing a valuable privilege, and he hoped the Prime Minister or the Home Secretary would give them some assurance that they would be able to discuss these Orders.

Mr. LAURENCE HARDY (Kent, Ashford) said that if the Secretary of State by his own *ipse dixit* could add trades to the schedule the employers concerned would have no power to bring forward their case. If this could be done without reference to Parliament the employers would lose the power which the Government originally proposed to give them of being able to present their case in the most authoritative way possible.

*Mr. GLADSTONE said that in the main discussion upon this point he was pressed by the right hon. Gentleman the Member for St. George's, Hanover Square, and from all quarters of the House to make this concession, and objection ought to have been taken to it at that time.

Mr. LAURENCE HARDY was quite aware that the right hon. Gentleman said he was ready to alter the elaborate procedure before Parliament, provided in the Bill, to some other procedure under which it would be regulated by the Home Office, but if that involved the employers sacrificing the right to petition and tender evidence before the Select Committee it was a very different matter from what they understood would be the case when the question was discussed earlier in the debate. He thought they ought to be assured that all parties would have the fullest opportunity given them of putting forward evidence.

MR. HARMOOD-BANNER (Liverpool, Everton) said there was a very strong objection to any scheme under which employers would be compelled to insure against their will. Lines 21 to 29 were now to be omitted, and still they were met by the fact that the Secretary of State might by Provisional Order require all employers in an industry to insure in a specified scheme.

*****MR. GLADSTONE**: We are not on that.

MR. AKERS-DOUGLAS said there was an understanding that it should not be done by Provisional Order. He and his friends thought that the Orders should be made in such a form that they would not be withdrawn from the cognisance of the House. The whole point would be met if the right hon. Gentleman would say that the rules should be laid before the House.

MR. RAWLINSON said he was sure the right hon. Gentleman would not give the Amendment the go-by because of a misunderstanding. All that was intended on his side of the House was that the mode of procedure should be altered, but no one had the idea that a blank cheque should be given to the Secretary of State to include in the schedule any disease he thought fit without any reference whatever to the House. He submitted that the alteration now proposed would place too wide a power in the hands of the Home Secretary.

*****MR. HERBERT SAMUEL** said the way the Government at first proposed to proceed was by Provisional Order which would give to each party the power to be heard by a Committee of the House of Commons. The House was opposed to that, and the proposal was withdrawn. An alternative course was that the Home Secretary should have power to make a simple Order effecting the same object by his own fiat without Parliament formally being given cognisance of it. A somewhat reasonable objection was raised to that.

MR. AKERS-DOUGLAS: I do not think the point as to how the Order should be made was ever raised.

*****MR. HERBERT SAMUEL** said there was much to be said for the contention that the House should have cognisance of the Orders. The Government had no objection to laying these Orders on the Table of the House. It would not prolong the proceedings. They would be very glad to adopt that course.

SIR E. CARSON (Dublin University) said that the statement of the hon. Gentleman was to a certain extent satisfactory, but it was somewhat ambiguous. There were three different classes of Orders. They might give the Home Secretary power to make Orders, and so long as the Orders were within the purview of the Bill they would have all the validity of an Act of Parliament. They might say that the Home Secretary was to make the Orders, and that the Orders were to be laid on the Table of the House. That would give the House no power over the Orders at all. There was a third form of precedure, and that was to lay the Orders on the Table of the House for a certain time, and to say that unless a Motion was made they became valid. He did not know which of these the hon. Member meant by saying that he was prepared to make an alteration in the Bill in regard to Orders.

MR. HERBERT SAMUEL: The second one.

SIR E. CARSON said the second one was of absolutely no use. That left the matter practically with the Home Secretary. That was never intended by any suggestion from his side of the House. What they asked was that the method should be adopted of placing the

Orders on the Table of the House, and that unless a Motion was made they should have the validity of an Act of Parliament. That was a reasonable course. Many of the questions as to the results arising out of dangerous trades were very complicated, and he entirely objected to the Home Secretary being given absolute power of legislation in regard to these difficult and controversial matters. He hoped the right hon. Gentleman would adopt the course he had suggested.

Question put.

The House divided:—Ayes, 47; Noes, 281. (Division List No. 459.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex. F.
Balcarres, Lord
Balfour, Rt. Hn A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cavendish, Rt. Hn. Victor C. W.
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Cory, Clifford John
Courthope, G. Loyd
Davies, David (Montgomery Co
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Finch, Rt. Hon. George H.
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashford
Hay, Hon. Claude George
Kennaway, Rt. Hon. Sir John H
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Lambton, Hon. Frederick Wm.
Nicholson, Wm. G. (Petersfield)
Parkes, Ebenezer
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Tuke, Sir John Batty
Valentia, Viscount
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Wolff, Gustav Wilhelm

TELLERS FOR THE AYES—Mr. Rawlinson and Mr. Hicks Beach.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Ashley, W. W.
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont, Hn. W. C. B. (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp't
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Cheshr
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Cawley, Sir Frederick
Channing, Sir Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (St. Pancras, W
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crosfield, A. H.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doneland, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fell, Arthur
Fenwick, Charles
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Fuller, John Michael F.
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert Jn.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T. [illegible]
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Hayden, John Patrick
Hazel, Dr. A. E.

Hedges, A. Paget
Hemmerde, Edward George
Henderson, J.M. (Aberdeen,W)
Herbert, Col. Ivor (Mon. S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Hudson, Walter
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lutterell, Hugh Fownes
Macdonald,J.M. (Falkirk Bg'hs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Markham, Arthur Basil
Marks, G.Croydon (Launceston
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morpeth, Viscount
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts., Bassetlaw)
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal (Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor,James (Wicklow,W.)
O'Hare, Patrick
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs., Leek)
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert Jn. (Norfolk, E.)
Radford, G. H.
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F. (Wolverh'mptn
Richardson, A.
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Runciman, Walter
Rutherford, V. H. (Brentford
Rutherford, W. W. (Liverpool)
Samuel, Herbert L. (Cleveland
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H. (Ashton underLyne
Sears, J. E.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowdon, P.
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Hn. A.Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, SirA. (Glamorgan, E.)
Thomas, David Alfred(Merthyr
Tillett, Louis John
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke upon Trent)
Wardle, George J.
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wiilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

Tellers for the Noes,—Mr Whiteley and Mr. J. A. Pease.

*Mr. GLADSTONE said that the Amendment he was about to move was to take the place of the provision proposed to be struck out from line 21 to line 29. The history of that provision was that in the Standing Committee an Amendment was brought forward by his hon. friend the Member for Newcastle-under-Lyme. He did not think the hon. Gentleman would press it, and made only a very brief speech. Nobody else rose and, the Question being put immediately, the Government were defeated by twenty-two to twenty-one. Hon. Members would see that the provision would not stand the test of criticism. It was obvious that the Government could not accept a provision giving power to the Secretary of State to compel every employer to insure, subject to a penalty not mentioned in the Bill. There was a widespread feeling in the Committee, and representations had been made to him from more than one quarter of the House, that those words should be cut out. The representations came principally from the pottery trade in which he was informed the majority of the employers did insure. Personally he saw very great difficulty in putting into operation the scheme he had framed in substitution of the provision, but he did not object to its form when safeguarded by a Provisional Order. The Amendment he proposed left full discretion to the Home Secretary to draw the Provisional Order as he thought best for the case brought before him, and the Order would come in the usual way before Parliament for approval.

Amendment proposed to the Bill—

"In page 11, line 12, to leave out the words 'any such Order,' and insert, '(7) Where after inquiry held on the application of any employers or workmen engaged in any industry to which this section applies it appears that one or more mutual trade insurance schemes for insuring against the risks under this section have been established for the industry, and that a majority of the employers engaged in that industry are insured against such risks in the scheme or in one or other of such schemes, the Secretary of State may by Provisional Order require all employers in that industry to insure in the scheme or in one or other of such schemes upon such terms and under such conditions and subject to such exceptions as may be set forth in the Order. (8) A Provisional Order made under this section.' "—(*Mr. Gladstone.*)

Question proposed, "That the words 'Any such Order' stand part of the Bill."

*MR. COCHRANE said he agreed with the Home Secretary as to the incident which took place upstairs. The provision was sprung on the Committee, and almost at a moment's warning a division was taken and the Government were defeated. But the right hon. Gentleman had followed the tactics pursued by the Committee on that occasion having brought forward this Amendment at brief notice. He thought that there were certain faults in drafting the new provision. The right hon. Gentleman said that it dealt with questions which arose in the pottery districts; but the provision would have a wider application than the right hon. Gentleman suggested. The clause as it was drawn would apply to any of the trades in the schedule of the Bill, and he directed attention to one enormous industry, that of mining, which might be brought in. In the mining industry there were large mutual indemnity companies in which employers were associated for the purpose of insuring themselves against payment of compensation for accidents. They admitted to the associations only those employers who were solvent and took reasonable precautions to safeguard their employees against accidents. The pits were inspected to see that they were up to the standard of other employers, which hon. Members would agree was a very desirable thing. Under this Amendment the Home Secretary would have power to force these mutual indemnity associations to admit those whom they would otherwise leave out. That was a serious power for the Home Secretary to take. He thought it would be better, as the clause had been drafted to meet the particular case of the Potteries, to defer dealing with the question until after the inquiry which the right hon. Gentleman had promised. The matter should be dealt with as a whole, and in a comprehensive manner.

MR. J. WARD supported the Amendment of the Home Secretary and hoped that the right hon. Gentleman would press it with all the weight of his authority. The workmen in the district which he represented were exceptionally interested in this business and in this particular clause, which was first of all introduced in the principal Bill, and under no circumstances would they look with favour upon the exclusion of the principle, although they were not wedded to the words as they appeared in the Bill. They thought that the words of the Home Secretary embodied an improved and clearer way of carrying the principle into effect. He would like to say why it was that the workmen were so much in favour of this particular principle in the pottery trade. Without it it would be impossible to expect insurance and compensation from many of the smallest employers whom it forced to join insurance societies. It worked not only for the purpose of obtaining compensation, but its effect was more marked in the reduction of the number of cases of disease, which after all was the most important question for the House to consider. The ordinary insurance company in cases of increased risk merely raised the rates of premium and cared very little what the methods of working might be or about anything of that kind. In the mutual insurance companies, however, it was different. These companies met together once a month and took into consideration all the cases which had been reported in their particular trade during the month. By this means they found after a month or two the factories in which disease was prevalent. The Home Secretary and his officials claimed that the reduction of disease in the pottery trade was entirely due to their orders and efforts, but the workmen claimed—he was not saying whether they were right or wrong—that it was the mutual insurance system which had brought about the reduction more than the orders of the Secretary of State. The mutual insurance company had as their chairman an expert in the use of lead, who knew more about lead poisoning than any other man in the country. If at the end of a month it was seen that a certain pottery had a higher percentage of lead poisoning or illness from some cause or other, the chairman would be deputed to visit those works. He would inquire into the way in which lead was dealt with, the way in which they mixed it, and a hundred and one other things in order to see whether the latest methods were adopted, and he would keep on visiting the place until it was brought up to the standard necessary for the safety of the people employed. Therefore under the mutual system they had not only a guarantee that the money would be paid, but the benefit of the efforts of a number of persons who were interested in reducing the number of cases of disease. That system had had a very salutary effect. They were not so much interested as workmen in providing compensation as in preventing the diseases altogether. The workmen had had an opportunity of trying the system, and they were agreed that these periodical inspections of the employers themselves, who were responsible for the payment of the compensation, had resulted in a reduction in the number of cases of lead poisoning. That he thought was a substantial argument in favour of the proposed Amendment, and under those circumstances he hoped that upon no consideration whatever the right hon. Gentleman would recede from the position he had taken up. First of all, it secured that the compensation would be paid, because the small potter would have to join in the scheme of insurance. The important point was to see that the mutual business was properly conducted, and met the requirements of the Home Office, and, that Department having satisfied themselves that the method proposed was the best way to compel the smaller employer to join the scheme and to reduce the mortality to the lowest possible minimum, it should be carried into effect.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) said he was entirely in sympathy with the principle of mutual insurance, and he spoke with experience, being a director of one of these societies. He thought the system had proved very satisfactory and had worked extremely well. It must be remembered that most of these large industrial mutual societies in the colliery districts included the bulk of the colliery owners of the district, and that they made very particular inquiries in regard to any applications to join. This Amendment, however, gave the Home Office power to force an employer to join one of these mutual societies whether the society was willing or not, without any agreement, and simply on the terms laid down by the Home Secretary. These societies had large reserve funds, and it would not be fair to force them to adimt an employer without some negotiation or consultation with the directors of the company as to the terms on which that employer should be admitted. If the Home Secretary would add the words "and subject to the consent of the society" he did not think there would be much objection to the Amendment.

LORD BALCARRES (Lancashire, Chorley) said it was obvious that this Amendment originated in the Midlands in connection with a particular industry, and he was quite prepared to take it from the hon. Member for Stoke that some such Amendment as this would be of use to that industry. He, however, wished to emphasise the effect which these great mutual insurance societies which now existed in the colliery districts had had. At the present moment they could pay compensation for everything, inside or outside the schedule of this Bill. They were not limited to accidents, they might or might not be universal in their character. The reason that they did not include all the owners of collieries was that if an association of this kind allowed the owner of a badly managed mine to join they would imperil the funds which had been gathered together by the proprietors and managers of well managed collieries. To take an extreme case, no colliery owner who used gunpowder in his mine was allowed to join one of these societies. The effect of the exclusion of all badly managed collieries had been the creation of large reserves, and if there was a disaster, which God forbid, the survivors and the widows of all those killed by the disaster could be paid at once. By excluding badly managed, badly ventilated, and badly controlled mines, and refusing their owners the opportunity of joining the societies, they had raised the standard of efficiency and protection of life and limb in all the mines in Lancashire. They had had this good effect on the management of the collieries. If a particular mine returned cases for compensation in excess of what the percentage should be week after week, the owner of that particular mine was visited by a representative of the society, who inquired how it was that there was so high a percentage of accidents in the mine, and who insisted upon whatever was wrong in the management of that mine being put right. The result was a complete system of inspection. There was inspection by the Home Office officials, by the trade union, by the owner, and finally by the insurance society, and all that tended to raise the standard of efficiency. All this time, owing to the absence of serious accidents, large reserves had been accumulated by these societies, and the levy paid on every £100 worth of coal raised was being annually lowered. But these reserve funds were created by and belonged to a group of employers, the persons who would have to pay compensation for injury, and now the Government proposed to remove from these persons the total and complete control over the funds which they themselves had collected. That was wrong and indefensible from any point of view. It was private money, and the Government, by this Amendment, was taking the right to deal with and manage it. As to the procedure contemplated by the Amendment, he did not think any single employer or any single workman ought to have the right to apply to come under this section. It ought to be some accredited body of either. Then the expression "the majority of the employers" by no means always connoted the majority of the employees. The one must be made to harmonise and co-ordinate, to some extent at all events, with the other. The Provisional Order was an Act of Parliament, and had to go through all the stages, although with less formality, that other public Acts had to go through. It was introduced and passed through both Houses under the direct responsibility of the Government. Although no one was more in favour of mutual insurance than he was, he really disapproved on principle of the whole of this scheme. He asked the House to consider the power that would be invested in the Secretary of State. It was true that the right hon. Gentleman would have to proceed by Provisional Order, but he might require all employees in any particular industry to insure in any particular scheme upon such terms and conditions, and subject to such exceptions, as he, through his Provisional Order, might determine. The Amendment unquestionably took away from the insurance companies the control of their business. It enabled the Home Secretary to insist, for instance, that a mine-owner, who had been refused on account of the unsafe condition of his mine, should be taken into a particular insurance scheme. The proper course for the Home Secretary in such a case was to make that man bring his business up to the proper standard so as to justify the insurance company in admitting him. He feared the Amendment would seriously injure the whole system of mutual insurance, which had grown up and prospered under private enterprise without the interference of the State.

* MR. **HERBERT SAMUEL** said that no point had caused the framers of the Bill more anxious trouble than this question of mutual insurance, and the only reason for the delay in putting the Amendment on the Paper was that they were in consultation with persons interested in the matter. There were certain advantages in the insurance schemes that were contemplated which might make it desirable for the House to consent to this proposal. In the first place it avoided the difficulty of proceeding against a number of employers where a man was suffering from a disease of gradual growth and had been in several employments. In such a case the mutual insurance company would pay and no complication would arise. In the second place, the workman was safeguarded in case of the bankruptcy of the employer. Thirdly, as the hon. Member for Stoke had very ably pointed out, the company made it its business to bring up to a proper standard the safety of places of employment which were backward in that respect. These were the reasons why the Government asked the House to grant these powers. The application of this provision for mutual insurance was most carefully safeguarded. Before it was put into force a majority of the employers concerned must be insured in the scheme, thereby showing their confidence in it; there must be an inquiry at which the whole matter would be fully discussed; the Home Secretary's sanction was required and he, of course, would most carefully consider the scheme before he pledged his credit to it; and, finally, it must have the sanction of Parliament. He did not think they could introduce more effective precautions against abuse of the powers given in the proposal. An hon. Member had said that one workman or employer could set the machinery in motion. That was not so; he could ask the Home Secretary to set the machinery in motion, but there was nothing to prevent the Home Secretary, if he thought it was a frivolous request, saying "no," and the right hon. Gentleman would say so if he thought the request was frivolous. So long as the present Home Secretary held the office he was sure these powers would be exercised in a reasonable spirit, and he would not allow his hand to be forced where only one or two in a particular trade desired to bring the proposal into operation. The noble Lord had complained of the expression "the majority of the employers." It was the employers as individuals who were concerned. These were the men who had to pay the compensation, and if they said "the majority of the workpeople," it would mean that perhaps half a dozen large employers might be able to coerce forty or fifty smaller employers, if they had the consent of the Home Secretary and Parliament. The matter of the reserve funds would be decided in a business-like manner, as the circumstances of the case required, and the House might be perfectly certain that the Home Secretary would not dream of putting this sub-section into force unless the company concerned was willing to accept persons who were outside. So certain was that, and so decided was his right hon. friend on the point, that he had no hesitation in inserting the words "and that the managers of the scheme assent." At another stage the word "society" would have to be substituted for "scheme"—merely to improve the wording of the paragraph. Of course the House might rest assured that before exercising these powers, the Home Secretary would thoroughly assure himself that the existing scheme was financially sound in every particular and that the company was willing to accept outside employers on reasonable terms.

MR. **RAWLINSON** attached great weight to the clause. He was very much impressed by the arguments of the hon. Member for Newcastle-under Lyme and by the substance of the scheme; but was it fair to all the people interested in the matter that only twenty-four hours notice should have been given of the Government's scheme? Although he took no exception to the Amendment, he would like to indicate certain obvious difficulties raised in the debate which had not been met by the Government. The Under-Secretary had very fairly met the point about the managers of a society not wishing to have a small man in. Might there not be the converse case? A small man might not be able to raise sufficient money to join these very excellent insurance schemes. The Government did not indicate who was to settle the amount of the capital which outsiders would have to put in before they could start an insurance scheme. He thought that in such an important matter it would have been much better if the Government had given longer notice in order that the people most interested might have brought forward their case.

*Mr. WEDGWOOD said he desired to thank the hon. and learned Member for Cambridge University for the way in which he had spoken of this scheme. The Bill introduced a new principle into compensation, and one particularly required under the clause now under discussion, which allowed a man to claim from his last employer, and gave that employer the right to claim back from a previous employer, or from any employer in whose service the disease was originally caused. This scheme of collective insurance allowed them to get over that difficulty and the disease was thus charged against the whole industry. Clause 8 was based upon an experiment carried out in the pottery trade during the last five years. The special rules introduced as the result of Lord James's arbitration had resulted in compensation for lead poisoning in the pottery trade and special regulations, with a consequent very large reduction in the cases of lead poisoning. In 1899 there were 243 cases, but last year the number had fallen to sixty-eight. That showed very substantial progress, and that was what the hon. Member for Stoke indicated when he said that the mutual insurance schemes greatly reduced the cases coming upon them. He asked a director of one of these societies the other day to give a description of the scheme and he called it a "collective insurance scheme." That was what it was—not a mutual scheme. The workman did not came in at all. Every employer was compelled to pay a certain proportion of wages into a common fund, and that common fund was either put aside or paid out as compensation. When a new man entered he either paid his part of the reserve fund if there was one, or he had no claim on the reserve fund and he paid in his annual subscription. It was not a question of forcing a small man to pay a large sum, but it was a case of collective insurance, everybody in the trade insuring his workmen by a tax—not a subscription. Thus it afforded another example of compulsory insurance, though instead of being a national it was only a a trade affair. It was the seed of the German system, which he was so anxious to see introduced all over this country. His main object in supporting the inclusion of this clause in the Bill was not merely to fulfil the wishes of his constituents, though they were extremely keen about it, but to provide a model on which future extensions of insurance might be based.

Sir FREDERICK BANBURY (City of London) said he did not deny the advantages of the mutual insurance system, but that was not the question before the House. The point before them was the extremely important one whether or not, for the first time in the history of this country, an employer should be forced against his will to enter one of these insurance societies. That was a most important step, and one which the House ought to consider very carefully before taking it. There were fatal objections to the scheme. The hon. Member for Sheffield had already pointed out that the existing insurance companies had large reserve funds. He wished to point out that a premium would have to be paid by a new member entering the society. For instance, an employer on application to the Home Secretary might be told that he would have to join some society. He would pass by for the moment the question whether the society was solvent or not. On application to the society that man might be told that he would have to pay £5,000.

*Mr. HERBERT SAMUEL asked if any Home Secretary would be likely to do that?

Sir FREDERICK BANBURY asked if they were expected to make laws and regulations upon the assumption that any particular Home Secretary would not cause them to be put into force? They had to consider carefully what duties and powers they were conferring upon the Home Secretary. In the case he had given, if the man objected to pay the sum demanded, the House Secretary would have the power to say to him, "You have got to pay that sum, and I insist upon it." Had there ever been such a law introduced into this country before? With regard to the question of the solvency of these companies, he claimed to speak with some knowledge, having had considerable experience of a big superannuation fund. Many of the funds were not solvent, and the hon. Member opposite knew that it was extremely difficult so to manage those funds that they would be solvent in years to come. They were now face to face with the position that the Home Secretary was to be the judge, not only as to how much a man was to pay to enter, but also as to whether the society was solvent. He maintained that an employer ought not to be forced against his will to pay a large premium, because he might have very good reasons for thinking that a particular society was not solvent, although he would not like to state his reasons. There was also the objection that if a bad employer who conducted his business carelessly was admitted into the society, he might destroy the actuarial valuation that had been made of the society at the time he was admitted. They would compel a man to become a member, and he did not see how they could make that employer change his methods. He might have good reasons for thinking the society was not solvent, yet he would be compelled to enter it and pay, perhaps, the accumulated savings of two or three years in order to become a member. The Amendment would be an excellent one if made voluntary, but to make it compulsory would upset the principle and ruin the whole scheme. He urged the Government not to press the Amendment at the present stage.

*SIR **CHARLES DILKE** said the question of insurance was raised on the Second Reading because it was felt that it could not be adequately raised on the later stages of the Bill. That continued to be his view, and while he did not wish to offer any opposition to the proposal of his hon. friend, he wished to put in a caveat on behalf of himself and many of his friends and to say that it was to be understood that there was no intention, in advance of the inquiry which was to be made, of treating this as a stereotyped form to be adopted. All that they need do on this occasion was to put on record that they were by no means jumping at the proposal. They accepted it as an experimental scheme. He was sure it would be thoroughly understood that they were not binding themselves, and that the question would be open for consideration in the future after the inquiry.

MR. **PARKES** (Birmingham, Central) said one of the great objections to this clause was that it introduced the element of compulsory insurance in a particular society. The hon. Member for Stoke-on-Trent had argued that this Amendment would ensure proper inspection of the different works in connection with a particular trade. He held that it would defeat that object, because if the management of the insurance society determined that a particular firm should not come in, that firm would not come in. If there were firms prohibited from coming into the society, that element would be left out which the hon. Member for Stoke-on-Trent desired to get in, namely, the small employers. Their works would be the places where imperfect drainage or sanitation, or whatever it might be, would be most likely to occur. In the matter of joining the society why should compulsion be meted out to one section ot the community and not to the whole? He could understand compulsory insurance, but he could not understand compulsion to insure in a particular society. An employer should be free to insure in what he considered a perfectly safe society, but the proposal here was one which would interfere with the liberty of the individual.

Question put.

The House divided:—Ayes, 36; Noes, 263. (Division List No. 460.)

AYES.

Acland-Hood,Rt.Hn.SirAlexF
Ashley, W. W.
Balcarres, Lord
Bowles, G. Stewart
Boyle, Sir Edward
Bright, J. A.
Carlile, E. Hildred
Cave, George
Cavendish, Rt. Hn. Victor C.W
Cecil, Lord John P. Joicey-
Cochrane, Hon. Thos. H.A.E.
Courthope, G. Loyd
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Hardy,Laurence(Kent,Ashford
Kennaway, Rt. Hn. Sir JohnH.
Kimber, Sir Henry
King,Sir Henry Seymour(Hull)
Magnus, Sir Philip
Morpeth, Viscount
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Roberts, S. (Sheffield,Ecclesall)
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Warde, Col. C. E. (Kent,Mid)
Williams, Col. R. (Dorset, W)
Wolff, Gustav Wilhelm
Younger, George

TELLERS FOR THE AYES—Sir Frederick Banbury and Mr. Parkes.

NOES.

Abraham, William (Rhondda)
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Banner, John S. Harmood-
Baring,Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont,Hn W.C.B.(Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carylon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Bertram, Julius
Bethell, Sir J.H.(Essex,Romf'd
Billson, Alfred
Black, Arthur W.(Bedfordshire
Boland, John
Boulton, A.C.F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brigg, John
Brocklehurst, W. B.
Brunner, J.F.L. (Lancs.,Leigh)
Brunner,Rt.HnSirJT.(Cheshire
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cawley, Sir Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats,Sir T. Glen (Renfrew,W.)
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins,Sir W. J.(S.Pancras,W.
Corbett, CH (Sussex, E.Grinstd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Crean, Eugene
Cremer, William Randal
Crooks, William
Crosfield, A. H.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, Arthur (Edinburgh, S.)
Dickinson,W.H.(St.Pancras,N.
Dillon, John
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards,Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Esmonde, Sir Thomas
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Fuller, John Michael F.
Fullerton, Hugh
Gibbs, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn.Herbert Jn.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gwynn, Stephen Lucius
Hall, Frederick
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir (MerthyrTydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Hayden, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, J. M.(Aberdeen,W)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hills, J. W.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Hudson, Walter
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones,Sir D.Brynmor(Swansea
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Macdonald, J.M.(Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh,Jeremiah(Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.

Maddison, Frederick
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Markham, Arthur Basil
Marks, G. Croydon(Launceston
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(Tipperary, Mid
O'Brien, Patrick (Kilkenny)
O'Hare, Patrick
O'Kelly, James (Roscommon, N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, C.E. (Edinb'gh, Central)
Price, Robert John(Norfolk, E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Walter
Rutherford, V. H. (Brentford)
Rutherford, W. W. (Liverpool)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(M'nchester
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowdon, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanley, Hn. A. Lyulph(Chesh.)
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylot, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred(Merthyr
Tomkinson, James
Toulmin, George
Ure, Alexander
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Wardle, George J.
Waterlow, D. S.
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE NOES—Mr. Whitley and Mr. J. A. Pease.

Question proposed, "That those words be there inserted in the Bill."

Proposed Amendment amended—

"In line 6, by inserting, after the word 'schemes,' the words 'and that the managers of the scheme consent.'" — (*Mr. Herbert Samuel.*)

Question proposed, "That those words, as amended, be there inserted in the Bill."

*SIR JOHN BRUNNER (Cheshire, Northwich) said that he had naturally, as a large employer of labour, taken a great interest in the question of insurance since the 1st of January, 1881. During the year previous to that date he was solicited many times to effect insurance against the Employers' Liability Act. From the first up to now he had refused to insure, because he wished to secure to every workman in the employment of his company the full amount of compensation due to them without the interference of any insurance company coming between him and them. It was fatal to good feeling between employer and workman if an insurance company, which desired to make a profit out of the transaction, stood between them and could say at its own sweet will whether the workmen should have to fight for their compensation or not. During twenty-six years experience every man in the employment of his company who had been injured, whether he had been negligent or not, had been paid full compensation without any possible expenditure in litigation. He wanted to know after that experience whether he was to be obliged to place an insurance company between his company and their workmen. If he read the words of the Amendment aright, and he thought he had some intelligence, the Secretary of State would have the power to compel every employer in a trade to enter into an insurance scheme.

*MR. GLADSTONE: Only if a majority of the employers in the trade desire it.

*SIR JOHN BRUNNER said he strongly objected to any Government, or anyone else, compelling him to insure if he did not wish to do so. He wanted to have the whole responsibility for the safety of the lives and limbs of the men employed by his company, and nobody to interfere between them. The results of his refusal not to insure had been of the happiest description. There were a hundred men alive to-day who would not have been alive had he, by being compelled to insure, been relieved of all responsibility. The object of Parliament should be to put the responsibility on the employers, and to make sure that they used their best efforts to prevent accidents. Insurance took away from employers the wholesome sense of responsibility. He begged the right hon. Gentleman, when he found people right-minded enough to use their best efforts to prevent accidents, to leave to them the freedom which had been enjoyed hitherto with such happy results; and not to force upon them any insurance which would destroy existing pleasant relations. Another great benefit from non-insurance was that in twenty-six years his company had never had an action brought against them, either by an individual workman or a trade union; and every penny which had been due to a workman or his representatives as compensation had been paid to the full with a cheerful heart.

MR. WOLFF (Belfast, E.) said the firm he represented was in the same position as that of the hon. Member who had just spoken. They used to insure years ago, and they found it led to continuous litigation and fighting. They stopped insuring and found it led to the happiest results. He wanted to know whether under the Amendment they would be compelled in the future to insure in some scheme or other. He would much sooner not, and he thought the men would be much better without it and disputes would be avoided. He hoped that whatever the Amendment did it would not compel to insure, any responsible firm which now carried on work without insuring against accidents. He hoped he might be mistaken in thinking that the existing state of affairs was to be disturbed.

Question put, and agreed to.

Amendment proposed to the Bill—

"In page 11, to leave out lines 21 to 29 inclusive."—(*Mr. Gladstone.*)

Amendment agreed to.

*MR. HERBERT SAMUEL moved to add the following sub-section, "(7) Nothing in this section shall affect the rights of a workman to recover compensation in respect of a disease to which this section does not apply if the disease is a personal injury by accident within the meaning of this Act." He said the Amendment was merely proposed for the sake of greater caution. The class of cases which he had in his mind were such cases as sudden poisoning by sewer gas or sudden fuming in chemical works. This under the present law would probably be held by a Court to be an accident just as anthrax had been so held. Now, however, by this Bill they had put anthrax and several other illnesses into a category of diseases, and the Court might hold that since diseases had been put in the word "accident" might mean some violent injury to life or limb, and that therefore death by sewer gas was not an accident. By that means a man might be wrongly deprived of compensation.

Amendment proposed to the Bill—

"In line 11, line 32, at the end, to add, '(7) Nothing in this section shall affect the rights of a workman to recover compensation in respect of a disease to which this section does not apply if the disease is a personal injury by accident within the meaning of this Act.'"—(*Mr. Herbert Samuel.*)

Question, "That those words be inserted in the Bill," put, and agreed to.

*MR. GLADSTONE formally moved to insert the proviso "Provided that in the case of a person employed in the private service of the Crown, the head of that department of the Royal Household in which he was employed at the time of the accident shall be deemed to be his employer." The right hon. Gentleman said that he did not think he need explain the necessity for this Amendment.

Amendment proposed to the Bill—

"In page 11, line 36, at the end, to insert, 'Provided that in the case of a person employed in the private service of the Crown, the head of that department of the Royal Household in which he was employed at the time of the accident shall be deemed to be his employer.'"—(*Mr. Gladstone.*)

Question, "That those words be there inserted," put, and agreed to.

Amendment proposed to the Bill—

"In page 12, line 7, at the end, to insert, 'Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of either party or by any insurers interested, he shall not act as medical referee in that case.'"—(*Mr. Gladstone.*)

Question, "That those words be there inserted," put, and agreed to.

MR. HICKS BEACH moved the omission of Clause 12, which it seemed to him was quite unnecessary and only authorised the Government to obtain certain information for statistical purposes. Under the Factory and Workshops Act and the Notification of Accidents Act the Government could obtain any information which they might require. He particularly objected to the words of the clause providing that the employer, in addition to specifying the number of injuries and the compensation paid, should do so "together with such other particulars as the Secretary of State may direct." He thought that opened up a very wide field. Already the employers in the great centres of production had to furnish the Government with a great number of returns, and to add to them would, he thought, prove embarassing.

*SIR FRANCIS POWELL (Wigan) seconded, and said it seemed to him that the clause inflicted a most unnecessary and severe burden on employers. It was quite true that under existing legislation the employers had to report accidents of a grave character, and that provision no one could take exception to, but he did not think they should be called upon to notify accidents of a trivial or insignificant character. He could not see what benefit would arise to commerce by insisting upon this provision, the carrying out of which must involve cost to the employer.

Amendment proposed to the Bill—

"Page 13, leave out clause 12."—(*Mr. Hicks Beach.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. GLADSTONE said that he had received deputations representing all kinds of industries, and he could not recall any representation made to him in respect of this clause. The representatives of the employers were quite ready to accept it, and, after all, it was not a very serious demand. The clause only gave power to the Home Office to collect information which it was really necessary to ascertain. They did not ask the employers to report every accident to the Home Office, nor did they ask them to report any accident covered by the Notice of Accidents Bill of this session All they asked was that they should give the total number of injuries sustained by their own workpeople for which compensation had been paid and the amount of compensation. Surely that was not unreasonable? He had no doubt that if hon. Gentlemen examined into this question in the case of France or Belgium they would find that this information was afforded, and why should not this country have it? It was not merely in the interests of the Government to have these statistics. They were for the use of Parliament, the country and the employers themselves, and they would be failing in their duty if they did not put in powers enabling them to get the information.

*MR. COCHRANE thought that the clause went too far. The words "together with such other particulars as the Secretary of State may direct" were very wide words indeed, and went far beyond calling for any statistics which would give the slightest information or assistance to the Home Office. All the right hon. Gentleman desired or anybody really wanted was to know how many cases there were under the Workmen's

Compensation Act and how they were settled. In other words, they wanted to know how they were getting on, but an inquisitive Home Secretary or somebody under him might ask all sorts of questions far beyond the statistics really required. He thought the provision that the employers in default of complying with this section should be liable on a summary conviction to a fine not exceeding £5 was quite unnecessary. It would not weaken the general effect of the right hon. Gentleman's clause if he omitted those words. The passing of the Notification of Accidents Act had enormously increased the power of the right hon. Gentleman in regard to the notification of accidents, and he thought that under that statute he would get all that was necessary. This clause had alarmed those engaged in certain important industries in the country, and he had received representations from various districts on the subject. He had paid quite as much attention to the question of workmen's compensation as the right hon. Gentleman, and he thought these words unnecessary.

*MR. HERBERT SAMUEL said that if these words were struck out of the clause it would be very inefficient for its purpose. It would not permit anyone to ascertain the duration of the incapacity, neither would it enable one to ascertain whether it was a case of disease or accident. The clause was not only desirable for the information of Parliament and of students of the question, but also for the sake of the employers themselves, in order that they might see whether the insurance companies were charging reasonable rates. The clause was proposed in the Committee and unanimously accepted. The only point raised in the discussion in Committee had been that it was thought Parliament ought to have more cognisance of this matter, and in order to satisfy that point the Government had put down a further Amendment.

MR. CORY complained that this clause would put it into the power of the Home Secretary to ask very inquisitorial questions of employers, and, although he agreed that the present Home Secretary was not likely to do so, the time might come when they had a Secretary of State who would. He hoped, therefore, there would be some amendment of the clause.

MR. COURTHOPE (Sussex, Rye) said the Under-Secretary had said that the statistics in these returns would be extremely useful to employers and others in ascertaining the number of accidents which occurred and in finding out whether the rates of insurance were excessive. That was what he gathered from the hon. Gentleman, and surely it was an argument in favour of the Opposition. They wanted something laid down in the Act—if anything was laid down at all—as to the details which might be required in these returns. What was the value of statistics if they could be altered every year at the whim of the Home Secretary?

*MR. HERBERT SAMUEL: Home Secretaries never have whims.

MR. COURTHOPE said if the Home Secretary had no whims why give him this discretionary power? His Parliamentary experience was short, but so far as it went he thought both Secretaries of State and Under-Secretaries had whims. If the present Home Secretary and Under-Secretary had no whims it might be that some in the future would have, and he could not see, whether they had whims or not, why the House should not lay down hard and fast rules as to the details of the return to be made. He hoped the Government would see their way to accept this Amendment.

Amendment, by leave, withdrawn

Amendment proposed to the Bill—

"In page 13, line 7, to leave out from the word 'compensation' to the word 'and' in line 8."—(*Mr. Hicks Beach.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR FREDERICK BANBURY said he desired to second this Amendment, because so far as he could see there was no object to be gained by leaving the words in. The only object could be to give the Home Secretary a roving commission to inquire into all the details of a man's private business. It was an inquiry he had no right to make, and it ought to be quite sufficient for the proposers of this clause for an employer to state how many accidents had occurred in the course of a year, and how much in compensation he had paid. In order also that these statistics should be of value they must be statistics of the same kind of facts for a period of at least five years, and they must not be liable to be altered at the whim of anybody. It was absurd to suppose that any insurance company would take any notice of an employer who complained that they were charging too high a rate and suggested that they should take less. He hoped the Government would accept the Amendment.

*MR. GLADSTONE said there need be no fear that any Home Secretary would take fruitless burdens upon himself. The troubles and trials of his office were already sufficiently great. But to meet the objection of hon. Gentlemen opposite he was willing to limit the "other particulars" to the matter of compensation.

Amendment, by leave, withdrawn.

MR. GLADSTONE moved to add after "other particulars" the words "as to the compensation."

Amendment agreed to.

Amendments proposed to the Bill—

"In page 13, line 8, after the word 'particulars' to insert the words 'as to compensation.'"

"In page 13, line 9, to insert the words, '(2) Any regulations made by the Secretary of State containing such directions as aforesaid shall be laid before both Houses of Parliament as soon as may be after they are made.'"—(*Mr. Gladstone.*)

Amendments agreed to.

MR. GLADSTONE said the object of inserting the next Amendment was to make it clear that where a farmer lent a workman to another farmer—a common custom in the country—the farmer with whom the workman had entered into a contract of service should continue to be deemed the employer under the Bill.

Amendment proposed to the Bill—

"In page 13, line 14, at the end, to insert the words 'and where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the workman whilst he is working for that other person.'"—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. ELLIS DAVIES (Carnarvonshire, Eifion) said he had some doubt whether the words were sufficiently wide. He would be glad to hear the view of the Solicitor-General on the point. It had been decided by Judge Moss in North Wales that a workman who was lent by one employer to another could not in case of accident be said to be acting in the course of his employment, and could not claim compensation. By the Amendment the original employer was to be deemed to be the employer of the workman even when lent. No one disputed that, but the question was whether the workman could be said to be acting in the course of his employment when he was working for and controlled by and sometimes even paid by another person. In nine out of ten of these cases the question was decided not in the Court but in the solicitor's office. The point was an important one, and he would like the Solicitor-General's opinion as to whether the words now proposed were sufficiently wide to clear away all doubt upon the point.

SIR W. ROBSON said there was no doubt whatever that this point would be cleared up by the words now proposed. If one employer lent a workman to another, the question might arise as to whose employment the workman was in. If it did, the Amendment said that the man was to be deemed to continue in the employment of the person to whom he had entered into his contract of service. The mere fact that he had been lent meant that he was obeying the directions of his proper employer. If the Amendment was adopted there could be no legal doubt in the matter.

Mr. WALTER LONG (Dublin, S.) thought the Amendment met the whole case not only from the legal point of view, but also from the point of view of the employer of the labourer. If the lending of a workman to another employer invalidated his claim for compensation it would only be right that under those circumstances the workman should be entitled to refuse to carry out his master's orders.

Mr. ELLIS GRIFFITH (Anglesey) desired to see some words inserted such as the hon. Member for Chester had on the Paper, to place the relationship of the employer and employed beyond dispute. They had to remember that an eminent judge had given a decision upon this point, and that if quoted in a Court of law would be regarded as being of more importance than the opinion just expressed by the Solicitor-General. It had been laid down as the law that a servant who was lent to another employer should be deemed to be in the employment of the person to whom he was lent. His object was to have the matter made clear, and the only point was whether the Amendment now proposed cleared away all doubts upon the question. He was inclined to think that some such words as those suggested by the hon. Member for Chester were necessary.

Mr. COURTHOPE said the question what was meant by letting a man on hire was important to agricultural labourers, who were lent to sportsmen for beating game or to others for timber felling. Their injuries in the course of such employment would not be covered by the insurance policy of their employer. There were other cases, such as accidents, which might occur when threshing was going on after the harvest. The original employer might find his men put to work of a dangerous kind which he never contemplated, and injuries might result in consequence which would not be covered by the insurance which he had effected. This was a very serious matter for those engaged in agriculture, and the point ought to be made clear quite.

Mr. MOND moved the addition of the following words to the Amendment—

"And any personal injury by accident arising whilst he is working for that other person shall be deemed to have arisen in the course of his employment of the person deemed to be his employer."

He said the words could not do harm and they might do good. They would only mean two or three more lines in the Bill, and as there was some legitimate doubt upon the point dealt with, he thought the words might very well be inserted.

Mr. KEIR HARDIE seconded the Amendment, and hoped the Home Secretary would see his way to accept it. After the experience of the Licensing Act it was their duty to remove all doubts and all possibility of escape under the Act.

Amendment proposed to the proposed Amendment to the Bill—

"At the end to add the words, 'And any personal injury by accident arising whilst he is working for that other person shall be deemed to have arisen in the course of his employment of the person deemed to be his employer.'"—(*Mr. Mond.*)

Question proposed, "That those words be there added to the proposed Amendment to the Bill."

Sir W. ROBSON said there could be no doubt when a man did work by the direction of his employer. The addition of the words would only provide material for fresh discussion and would not add to the lucidity or use of the clause. The various points raised by hon. Members were such as the county court judge would determine.

Mr. MOND, in view of the remarks of the Solicitor-General, begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Proposed words there inserted in the Bill.

The following Amendment stood on the Paper in the name of Sir Robert Ropner—

"In page 13, lines 15 and 16, to leave out the words 'remunerated by salary at a rate exceeding,' and insert the words 'whose earnings exceed.'"

*MR. GLADSTONE said he could not accept the Amendment in that form, but he would suggest an alternative to the hon. Baronet. He was willing to leave out the words "remunerated by salary at a rate exceeding," and to insert the words, "employed otherwise than by way of manual labour whose remuneration exceeds." He objected to the hon. Baronet's Amendment because it excluded certain workmen who were already entitled to compensation under the Act. There were workmen who could earn more than £5 a week, and they should not be disqualified from enjoying the right which they had under the law. Many of the men who earned high wages were engaged in work which wore them out at an early stage of their life.

Amendment proposed—

"In page 13, lines 15 and 16, to leave out the words 'remunerated by salary at a rate exceeding,' and insert 'employed otherwise than by way of manual labour whose remuneration exceeds.'"—(*Mr. Gladstone.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR ROBERT ROPNER said the words proposed by the Home Secretary did not quite meet what he desired. What he wished was to avoid litigation in future. They were all perfectly well aware that a man sometimes not only received salary but also commission. Would the right hon. Gentleman's Amendment meet a case of that kind?

*MR. GLADSTONE: Yes.

SIR ROBERT ROPNER: Then I accept the Amendment.

Amendment agreed to.

*MR. COCHRANE moved to exempt outworkers from the clause. He said the effect would be to give outworkers the benefit of the Act. If any persons deserved protection it was those to whom work was given out to be done on premises which did not belong to the person who gave out the work. The Report of the Commission on Sweating contained innumerable instances of the kind of labour to which these people were subjected. If employers who went in for sweated labour found that by giving work out they could escape paying compensation, there would be a large increase in the amount of work done under these conditions. He saw no reason why the outworkers should not get the benefit of this Bill.

Amendment proposed to the Bill—

"In page 13, line 20, to leave out the words 'or an outworker.'"—(*Mr. Cochrane.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. GLADSTONE said they all sympathised with the object of the hon. Gentleman. The question of outworkers was a very difficult and grave one, and it could not be dealt with under the Workmen's Compensation Bill. It was quite impossible to accept the Amendment. Outworkers took work home to their own rooms where they worked alone, or with the members of their families. The hon. Gentleman had not suggested how they were to prove that an outworker had in the course of his employment received an injury. It was quite impossible, and he very much regretted it. He did not think that the exclusion of outworkers from the Bill would increase sweating. The tendency was to decrease the amount of outwork, and he believed that tendency would continue.

Amendment negatived.

*MR. H. H. MARKS (Kent, Thanet) moved to leave out from Clause 13 the words "or a domestic servant." This Amendment affected the largest class of workers in the country—mostly composed of women and girls—a class who from the character of their employment and its conditions were most defenceless against the evils which this Bill sought to deal with. He thought it would be admitted that the domestic servants deserved consideration at all hands. They must possess the qualities of fidelity, industry, and loyalty in a high degree.

They were absolutely unorganised. They had no trade union; they had no benefit society; they had no organisation which would enable them to provide against the evils of unemployment and old age, and they had no votes. But he thought that they were not less entitled to consideration at the hands of Parliament than other workers. It was true that it had been customary in old days for employers of domestic servants to make a provision for them in old age, but that class of employer was decreasing in these latter days. There was one important consideration to which he desired to direct attention. Only a small proportion of hon. Members in this Assembly were employers of the workmen who were to receive compensation under this Bill, but there was not one who was not an employer of a domestic servant.

MR. KEIR HARDIE: That is not true.

*MR. H. H. MARKS said that, at any rate, there was scarcely one who was not directly or indirectly an employer of a domestic servant; and it seemed to him that it would be in the highest degree cynical and most regrettable if the Members of the House of Commons were to refuse to their servants the rights and privileges which they were prepared to give to the servants of others.

Amendment proposed to the Bill—

"Inpage 13, lines 20 and 21, to leave out the words 'or a domestic servant.'"—(*Mr. H. H. Marks.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

VISCOUNT MORPETH (Birmingham, S.) said he was quite aware that the Departmental Committee had reported that it was not desirable to include domestic servants in the provisions of the Bill; but the Report was inconclusive on the question, because they sanctioned the principle by including grooms and coachmen as entitled to compensation. His contention was that the principle should be extended as far as possible. This House frequently accepted a principle, but when it came to apply that principle in legislation they refused to give effect to it, although there was no ground in justice or logic for that refusal. The Report said that there was little risk run by domestic servants, but that argument was not conclusive, because it was no consolation to a domestic servant when laid up as the result of an accident to be told that the average risk run by a domestic servant was not so great as by a workman in any trade. The hon. Member who moved the Amendment had spoken of domestic servants as being a helpless class who did not belong to any trade union. He knew that many employers did the best they could to support aged servants, and domestic servants as a class spent so much of their youth in supporting near relations that they were deprived of the opportunity of making any provision for themselves in old age. There was another important point which he wished to urge, and that was that the great proportion of these people were women, and this House, which was elected by men, should take care that justice was done to women. When they were making provision for workmen, they should not at the same time callously reject the claims of women. If they were not prepared to do justice to women, that would strengthen their demand to have a vote, in order to insure that justice was done to them in the legislation passed by this House. The only argument which could be urged against the proposal was that it might be a hardship on the small employer; but the House had already deliberately established the principle that in connection with the trade and industry of the country the employer was to be put under an obligation to provide compensation in the case of injury. If that were so in regard to the employer in trade it should be equally so with regard to the private employers. It was said that if it was established that a man should provide compensation for his servants in case of accidents and injury he would consider whether he should not keep fewer servants or indeed keep any at all. Simply that there would be a hardship on the employer was not a sufficient reason why a class of people who were poorly paid and led a hard life should be deprived of compensation or their relatives and dependents of support. He trusted that the Government would deal properly with a great and deserving class.

*MR. GLADSTONE said he was afraid the Government could not accept the Amendment. This was the first time the question had been raised; it did not come before the Grand Committee. Accidents among domestic servants were extremely few in number, and though that was the case every employer would have to insure. The risk being extremely low the premium, on the other hand, was almost certain to be high. As a matter of fact, the premium charged would be altogether out of proportion to the risk run because of the cost of collection and agency, and it would hardly prove remunerative. There must be in the country something like 2,000,000 domestic servants, and a vast number of them, probably 1,000,000, in single service. Was he to be told that that vast army of people would insure their servants? Domestic servants were to be treated on an entirely different footing from workmen in the general industry of the country. He agreed that there were harsh employers of servants in many cases, but servants were generally well treated, and even with a harsh employer a servant if he got injured had his wages paid while he was ill. ["Oh."] That was his opinion, and he had never known a case of an injured servant who did not receive medical assistance, and whose wages were not paid and who was not looked after until she recovered. It was impossible, having regard to the treatment servants usually experienced, to bring this vast army of people within the provisions of the workmen's compensation law. There were, however, classes of servants, not necessarily domestic servants, who ought to be considered. He had put down an Amendment under which servants employed at hotels, inns, restaurants, and clubs would be brought within the purview of the Act. He could not accept the Amendment.

LORD R. CECIL (Marylebone, E.) thought the Government's decision on this matter was quite wrong. The Home Secretary in the observations which he had made had pledged himself to an illogical proposition. He said that everyone of the 2,000,000 servants if they were injured were paid their wages.

*MR. GLADSTONE: I never said so. I said that the vast majority of employers treated their servants well, and that I had never known a case in which wages were not paid.

LORD R. CECIL ventured to think that the right hon. Gentleman was wrong. It was true that the right hon. Gentleman and people like him treated their servants well, but the great majority of servants who were general servants led hard lives—far harder than the ordinary artisan. To say that they ran no risk of serious injury was not true. He did not see why the premiums should be high. The business would be a large one with small risks. The Bill convinced him more strongly than he would otherwise have been convinced of the urgent necessity of the enfranchisement of women.

SIR W. ROBSON said it was possible to have a high premium with a low risk. There were no statistics of the accidents that happened to domestic servants, but there was reason to believe that they were not numerous. The premium, however, in such a case depended less on the amount of the risk than on the cost of inducing people to insure and other expenses. It was worth remembering that, after all, this legislation was devised in order to deal with industrial occupations upon a large scale. The further they went in bringing small employers under the Act the more difficult became its application.

MR. KEIR HARDIE said the same arguments were used against the inclusion of the single workman in a small workshop or the single assistant in a shop, but both those classes had been brought under the Bill, and why should the servant alone be left out? If he did not belong to the class which employed servants he belonged to the people from whom servants were drawn, and he could assure the House that a larger number of accidents occurred to servants than seemed to be believed. As to the difficulty of insuring, it must be remembered that before the Act came into operation arrangements were to be made for insurance through the Post Office. As everyone else had been included in the Bill he hoped they would not leave out the poor domestic servant.

MR. HARMOOD-BANNER assured the right hon. Gentleman that if he inquired among his own domestic servants, and particularly of people who could afford to have only one servant, he would find that most of the employers and their servants were insured in one or other of the great industrial insurance societies like the Royal Liverpool Friendly Society and the Prudential. He, therefore, did not see the slightest difficulty in bringing domestic servants within the scope of the Bill, nor did he see any difficulty as regarded the question of cost. Anyone who had seen the premiums demanded for accident policies by these societies would find that for about ten shillings he could insure all his servants. They had a right to ask the Government to look at this question with a more open mind. Almost everybody else who worked had been included within the benefits of the Bill, and it seemed extraordinary that a House which was so generous as regarded compensation to others should hesitate when it came to the enormous class of domestic servants, who could be insured for a small cost, and who required the insurance because of their poverty. They could rely upon insurance companies meeting the want. There was no reason, except that these poor people had no votes, why the Government should refuse to give them these benefits.

SIR FREDERICK CAWLEY (Lancashire, Prestwich) hoped the Home Secretary would leave this question to the House. He was sure a large section on the Ministerial side were entirely in favour of the Amendment. They were in favour of meting out the same measure of justice to the unrepresented classes of labour as they were to those represented in the House. So far as the insurance went, he did not think there ought to be any difficulty. If the insurance premium was 10s. per £100 of wages it would come to a very small amount in the case of a servant earning only £20 a year. He had no doubt some insurance companies would spring up which would make this their special line and tout for business. For the first time during the progress of this Bill the Government was considering more the convenience of the employer than the good of the workman. Every class of labour, whether domestic or other, ought to have the benefit of this Bill. The Government were already providing that servants employed in manufactures ought to be included, but apparently their view was that servants employed for pleasure or to save their masters doing their own work ought to be excluded from the Bill. In his opinion servants employed for pleasure ought to be in the same position as those employed for profit.

SIR J. RANDLES (Cumberland, Cockermouth) pointed out that the value of this Bill largely lay in its preventive nature, inasmuch as it would cause extra precautions to be taken which would make it safer for people to follow their employment. Though the amount of the premium in single servant households would be very small, yet there would be a tendency if this Amendment were carried to exercise in many households more care than would be otherwise taken. A large number of houses had ricketty staircases and awkward passages, and the tendency of the Amendment would be to remove these inconveniences. The great value of such an Amendment would be that the domestic life of millions of servant girls would be made safer and pleasanter. For this reason very largely he should support the Amendment.

MR. MACLEAN (Bath) joined in the appeal to the Government to leave this question to the decision of the House. What impressed him most was that domestic service was by far the largest class of employment in the country, and they were expressly excepting that class from the benefits of the Bill. The arguments which Liberals had sometimes used to commend this Bill as compared with the Bills passed by Conservative Governments was that the Government included everybody, with certain exceptions, whereas the late Government excluded everybody, with certain exceptions. It seemed to him a somewhat illiberal proposition to exclude from the operation of the Bill the largest body of persons in the country.

MR. HUGH LAW (Donegal, W.) joined in the appeal to the Government. He was sorry to say it was proposed to make two very big exceptions in the Bill. It had been determined to exclude outworkers, and so increase the temptation and put a premium on sweating. It was too late, however, to go back upon that, but he did hope they would not exclude another great class as was now proposed.

*MR. CORY said he would like to join in the request to the Government to include domestic servants in the Bill. He could not see why they should be excluded. They had an equal claim with employees in hotels, whom the Government said they intended to include.

SIR H. CAMPBELL-BANNERMAN thought it might tend to shorten the proceedings if he said a few words. In excluding domestic servants from the scope of the Bill the Government surely followed a good example. During the last Parliament right hon. Gentlemen opposite who were now so feverishly anxious to admit domestic servants, all the poor servants especially, to this privilege, brought in a Bill for the same purpose of giving workmen compensation, and they deliberately omitted from the Bill the very class whom they were now so anxious to include. His right hon. friend had been probably led astray by his desire to follow the pattern set by right hon. Gentlemen opposite. Everyone must sympathise with the whole class of domestic servants. They were apt to think, however, of their own homes, and the footing upon which he hoped they all treated the servants who worked in those homes, and there was a natural feeling that if they were put into the relationship which was suggested it might tend to invalidate that healthy arrangement which was most pleasant as well as the most effective way of securing what hon. Members aimed at. That was one consideration. Then his right hon. friend had joined with the Solicitor-General in thinking that the insurance would be difficult to accomplish and be burdensome in some cases to those who took part in it—at any rate, there was a danger of it. They were apt—at least he spoke for himself—to think of the class of servants who were well off. But there were probably few people in the country worse off than the poorer class of servants, who were often treated, he was afraid, with great hardship, probably in many cases with necessary hardship, because there was nothing but hardship in the houses in which they were employed. Reviewing the whole question, he thought his right. hon. friend would be well advised to admit this class, and he thought he could do so and still hold up his head. He did not think it was a matter that should be left to the House, as it was called. It was much better that the Government should take such steps as would include this class of servants in the Bill.

MR. AKERS-DOUGLAS said he was one of the authors of the Bill of last year, and he admitted that they did not include domestic servants in it. He was still of the opinion that they should not be included. If the House generally desired to take the course suggested by the Prime Minister, of course they would do so. He congratulated the right hon. Gentleman upon this fact, at all events—that he had not left it to the House, but had taken the responsibility for including domestic servants in the Government Bill.

Question put, and agreed to.

Mr. AKERS-DOUGLAS asked what course the Prime Minister intended to pursue with regard to the Bill to-night. They had made considerable progress and there had been no attempt to use obstructive methods. But it was quite evident that unless they sat all night it would be impossible to finish the Bill at this sitting. He thought that if they were now to adjourn they would be able to bring the Bill to a conclusion somewhere about the dinner hour to-morrow evening. He moved the adjournment of the debate.

Motion made, and Question proposed, "That the further consideration of the Bill, as amended, be now adjourned."—(*Mr Akers-Douglas*).

Mr. KEIR HARDIE asked what would be the fate of the Provision of Meals Bill, which was down for to-morrow, if the suggested arrangement were concluded. He thought if the whole of Friday was to be taken up with the discussion of the suspension of the eleven o'clock rule, and only to-morrow evening was to be given for the consideration of the Children's Bill, it would be a one-sided bargain for those who were specially interested in the Bill.

Sir H. CAMPBELL-BANNERMAN said the request of the right hon. Gentleman was a very fair one. As he said at the beginning of business, there never was any intention to subject the House to any violent extension of the sitting, and if by general consent they could get the close of this stage of the Bill before the House by dinner-time to-morrow, the Government would be prepared to adjourn the proceedings. The Bill to which the hon. Member for Merthyr referred would come on after this Bill and the Second Reading of the Licensing Bill, which would be put down as the second order, were disposed of. On Friday the first business would be the suspension of the eleven o'clock rule for the rest of the session, and then the House would resume, if necessary, the Provision of Meals Bill. The Motion on Friday would include that day, and, therefore, there would be ample time for the Bill.

Mr. LAURENCE HARDY said there were undoubtedly a great number of questions which must come up for discussion on the schedules of the Workmen's Compensation Bill. He wished to enter a caveat against the supposition that it would be possible to bring up all these questions before the dinner hour. If they had not been reached by the dinner hour, he hoped further opportunity would be given for their discussion.

Motion, by leave, withdrawn.

Motion made, and Question, "That the further consideration of the Bill, as amended, be now adjourned,"—(*Mr. Secretary Gladstone*)—put, and agreed to.

Bill, as amended (by the Standing Committee), to be further considered to-morrow.

Whereupon Mr. Speaker adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-seven minutes after Eleven o'clock.

HOUSE OF LORDS.

Thursday, 6th December, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against—of inhabitants of parishes of Ashwick; Lund; Bathwick (St. John Baptist); Combe Hay; Chepstow; Great Billing; St. George's-in-the-East, London; Badby; Margam; Tittleshall; Bakewell; Stoke-on-Trent; Calverton; Southampton (St. Marks) Abingdon; and Pullborough; of parents of children attending schools in parishes of Cherington; Ipswich (St. John's); Salperton; and St. George's-in-the-East, London; of certain trustees of Church of England schools in England and Wales. Read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions for Amendment of; of inhabitants of parish of Cherington; Brighton (St. Luke's); Shermanbury; Eastbourne (St. Anne's); Ripe; and Warbleton; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS: ANNUAL SERIES.

No. 3737. Brazil (Trade of Santa Catharina for the year 1905).

UNITED STATES, No. 1 (1906).

Correspondence respecting the Newfoundland Fisheries.

Presented (by Command) and ordered to lie on the Table.

MARINE INSURANCE BILL [H.L.].

Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons, and the consequential Amendments made by the Lords to the Bill agreed to; and the Amendments made to the Bill to which the Lords have disagreed not insisted on, and the Amendments made by the Lords to the Bill in lieu thereof agreed to.

PALACE OF WESTMINSTER.

The Earl Brownlow added to the Select Committee.

EDUCATION (ENGLAND AND WALES) BILL.

[Third Reading.]

Moved, "That the Bill be now read 3^a."—(*The Earl of Crewe.*)

On Question, Bill read 3^a.

*The Earl of CREWE: My Lords, the first Amendment stands in my name. When the noble Viscount Lord St. Aldwyn wished to make the date when this clause would come into operation made of a more flexible character, I tried to meet him by not disagreeing to the insertion of the words—

> "Or such later date as Mis Majesty in Council may appoint for any district on the application of the local education authority of the district."

But we think strongly that there ought to be some further limit, that it is unusual in a matter of this kind to leave a date entirely open, and we suggest, therefore, that the flexible date should not be later than the first day of January, 1909. I hope your Lordships will agree to this Amendment.

Amendment moved—

> "In Clause 1, page 1, line 8, after the word 'date' to insert the words 'not being later than the first day of January nineteen hundred and nine.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

*The Earl of CREWE: The next Amendment is a small one, substituting the Board of Education for His Majesty in Council as the body by whom this leave is to be given. It is rather a small matter, and one of a purely local character. It involves really no general considerations, so we think it is better it should be settled on administrative grounds by the Board of Education without the trouble of getting an Order in Council.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

Amendment moved—

"To leave out the words 'His Majesty in Council,' and to insert the words 'the Board of Education.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

*THE EARL OF CREWE: The next Amendment is to leave out the words "any district," and to insert the words "the area of any local education authority." Area is the technical word that is always used in this case, and not district.

Amendment moved—

"In Clause 1, page 1, line 9, to leave out the words 'any district,' and to insert the words 'the area of any local education authority.'" —(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

*THE EARL OF CREWE: The next Amendment is on Clause 2. It involves leaving out some words which were inserted in Committee at the instance of Lord Barnard, viz.—

"Provided that such arrangement includes as far as may be having regard to the altered circumstances of the case, adequate provisions for the preservation of such trusts, and for the protection of the endowment subject thereto."

We think that these words are not wanted; in fact that they are really out of place in this position. The arrangement only deals with the use of the schoolhouse during school hours, and does not affect the use of the school house out of school hours, which is the use with which Lord Barnard's Amendment purports to deal. Therefore, the words could have no meaning except so far as they relate to a scheme made generally affecting the trust of the school. So far as this Bill is concerned, the sanction of the commission to the scheme fully safeguards the trust.

Amendment moved—

"In Clause 2, page 2, line 28, to leave out from the word 'purposes' to the end of subsetion (2).—(*The Earl of Crewe.*)

THE MARQUESS OF SALISBURY said that in the absence of Lord Barnard he would regret the omission of these words, because there was no member of their Lordships' House who was a greater authority on this special point than the noble Lord upon whose Motion the words were inserted. The noble Lord in charge of the Bill now said that they were otiose. He could hardly think that that was the case, otherwise Lord Barnard would not have inserted them. As, thank goodness, they had reached the last stage of this Bill, he would point out that there was no further opportunity of their Lordships putting this matter right if a mistake was now made. He hoped the noble Earl would allow the words to remain as they stood, and if in another place it was thought right to strike them out they could be struck out there.

*THE EARL OF CREWE: I have no doubt the words will be struck out when the Bill reaches another place, as it certainly is the opinion of those who advise us on this difficult question that the words ought not to be here. I might add that the noble Lord asked us to safeguard trusts and endowments. As regards endowments, it is not at all a desirable thing that the owners and trustees should have power to make an arrangement for the protection of endowments. We are repealing Section 13 of the Act of 1902, and when that takes place the majority of endowments connected with elementary schools will require a scheme, and it is better that a scheme of that kind should be made by the Board of Education than between the owners and the local authority, who would be able to make it if the noble Lord's Amendment stood. These endowments, although they are attached to particular schools, are very often not held under the trust deed, and, therefore, it is quite possible that considerable inconvenience might arise. I would greatly prefer to see the words come out now, but if the noble Marquess desires to keep them in, I can only promise him that they will disappear in another place.

THE MARQUESS OF SALISBURY: I should prefer to keep them in.

Amendment, by leave withdrawn.

Drafting Amendments agreed to.

*THE MARQUESS OF LANSDOWNE moved that Lord Salisbury's Amendment, agreed to on the Report stage, providing ordinary facilities in cases where no other schools were available, and which appeared in the reprinted Bill as Clause 4, sub section (1), should be made a sub-section of Clause 3. The noble Marquess said: This Amendment, which bears a somewhat formidable appearance, must be read in connection with another Amendment of mine lower down on the page, and with the further Amendment by which I propose to omit Clause 4. I daresay many of your Lordships, when you saw the Bill in the shape which it assumed after Report, must have been struck by the fact that, owing to the interpolation of the clause moved by my noble friend Lord Salisbury, that clause became Clause 4, and what I may describe as our old friend Clause 4 became Clause 5. To some of us I daresay Clause 4 has been rather a nightmare of late, but still we have got so used to referring to Clause 4 and to Clause 4 facilities that I think it would be to many of us a great effort to describe those facilities by any other name. I therefore ventured to suggest to the noble Earl the Lord President of the Council that the drafting of the Bill might perhaps be so arranged as to preserve for the original Clause 4 its pristine appellation. The words on the Paper are suggested to me as the most appropriate way of effecting the object in view, and I therefore beg to move them. The matter is not one of first-rate importance, and if your Lordships have any doubt on the subject I will not press the Amendment.

Amendment moved—

"In Clause 3, page 3, line 19, after the word 'morning' to insert as a new sub-section: (2) If the parents of a reasonable number of children attending any public elementary school require facilities for their children of the same character as those to be afforded under the foregoing provisions of this section, and in the opinion of the local education authority, those children cannot conveniently attend some other public elementary school in which facilities for religious instruction of the special character desired by the parents are afforded, the local education authority, without prejudice to any of their powers or duties under this section, shall, so far as it is in their opinion reasonably practicable to do so, afford those facilities in the school within school hours accordingly.'"—(*The Marquess of Lansdowne.*)

*THE EARL OF CREWE: I think the noble Marquess has undoubtedly taken the right course in moving that these new words should form a sub-section of Clause 3 instead of a new clause. Clause 4 has become intimate to us by long association, and although it would smell as sweet, or whatever adjective noble Lords may like to use, by any other name, I think it is just as well that it should continue to be called Clause 4.

On Question, Amendment agreed to.

*VISCOUNT ST. ALDWYN said that the Amendment which he had placed on the Paper referred to a point to which he called the attention of the noble Earl during the proceedings on Report. It was this. The Bill provided, as it now stood, that facilities under Clause 3 should be granted at the wish of the owners of the school house transferred, but made no provision for any authority who should control the religious instruction of that kind given in the school after such facilities had been granted. He did not know whether the noble Earl had any suggestion to make on the matter. The new sub-section which he proposed to insert ran—

"The owners of the schoolhouse shall be responsible for and have the control of any religious instruction given in pursuance of facilities afforded under this section, but may delegate any of their powers under this section to any persons they think fit."

The owners of the schoolhouse would, he thought, frequently be non-resident, or persons who would be unable to attend to the matter, and therefore he proposed that they should be able to delegate their powers of supervising the religious education to other persons. He did not know whether the noble Earl would be able to agree to this suggestion. He observed that Viscount Halifax had placed another Amendment on the Paper constituting a parents' committee, to be chosen by the parents of the children for whom facilities had been asked. He did not himself entertain any particular preference for one form of action or the other, but he felt that there should be some kind of provision made for supervising the religious instruction when it was agreed to be given.

Amendment moved :—

"In Clause 3, page 3, line 24, after the word 'authority,' to insert the following new sub-section: '(3) The owners of the schoolhouse shall be responsible for and have the control of any religious instruction given in pursuance of facilities afforded under this section, but may delegate any of their powers under this section to any persons they think fit.'"—(*Viscount St. Aldwyn.*)

VISCOUNT HALIFAX, who had the following new sub-section on the Paper—

"In all schools transferred under this clause those parents of children attending the school who have expressed their wish for facilities for the giving of religious instruction of some special character, shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who together with one other person nominated by the owners, and one other person nominated by the local authority, shall be known as the parents' committee. The parents' committee shall be responsible for and have the control of the religious instruction afforded under such facilities,"

said it would be remembered that when he moved what was substantially this Amendment two or three days ago, Lord Salisbury pointed out that the object he had in view would not be secured by it, and it was further pointed out that it was too wide, that it did not limit facilities to those parents who had asked for them, and that it might be thought to apply to other schools than voluntary schools transferred under Clause 3. He had re-worded the Amendment, and he thought both objections had now been met. It was quite clear that the facilities would be only at the request of parents who had asked for them, and it referred only to Voluntary schools transferred under Clause 3. It endorsed the right of parents in regard to their children's instruction. He re-echoed what fell from the noble Viscount, and if His Majesty's Government preferred Lord St. Aldwyn's Amendment to his Amendment, he would be very willing not to move his, but to acquiesce in the noble Viscount's.

*THE EARL OF CREWE: I am very much obliged to the noble Viscount who has just sat down for having dealt with his Amendment at the same time as that of the noble Viscount. We have always regarded this as a matter which could be left very much to the House, because we think it is for those who enjoy these facilities really to decide on the proper manner in which they should be regulated. Of the two we are disposed to prefer the Amendment of the noble Viscount Lord Halifax. It carries out precisely the same principle which is carried out in what we are now once more able to call Clause 4 schools, and I think there might be some inconvenience in introducing the owner into the matter, in view of the definition of owners which the noble Viscount will find in Clause 19—

"The expression 'owners' as respects any schoolhouse means any persons (other than the official trustee) in whom the schoolhouse is vested, and includes any persons in whom an interest in the schoolhouse is vested to the extent of that interest."

That would include undoubtedly mortgagees and a great number of people who need have no special concern with religious education in the school; and if the noble Viscount opposite (Lord St. Aldwyn) is content to leave it to the parents' committee, it is the course we should prefer.

*VISCOUNT ST. ALDWYN asked leave to withdraw his Amendment.

Amendment, by leave of the House, withdrawn.

Consequential Amendment agreed to.

VISCOUNT HALIFAX then moved his Amendment, substituting "section" for "clause" in the first line of the Amendment as it appeared on the Paper.

Amendment moved—

"In Clause 3, page 3, line 29, after the word education' to insert the following new sub-section: 'In all schools transferred under this section those parents of children attending the school who have expressed their wish for facilities for the giving of religious instruction of some special character, shall elect, in accordance with regulations to be made for the purpose by the Board of Education, four persons, some of whom may be women, who together with one other person nominated by the owners, and one other person nominated by the local authority, shall be known as the parents' committee. The parents' committee shall be responsible for and have the control of the religious instruction afforded under such facilities."—(*Viscount Halifax.*)

On Question, Amendment agreed to.

*THE MARQUESS OF LANSDOWNE: My Amendment to omit Clause 4 is consequential upon the first Amendment.

Amendment moved—

"To leave out Clause 4."—(*The Marquess of Lansdowne.*)

On Question, Amendment agreed to.

*THE EARL OF CREWE moved to omit from the special facilities clause the following sub-sections—

"That there is public school accommodation in schools not affected by a permission given under this section for any child whose parent declares his objection to the facilities; or that suitable provision will be made in the school or elsewhere, giving to the children of those parents who declare their objection to the facilities, religious instruction of the character permitted under Section 14 of the Elementary Education Act, 1870."

He proposed to insert in their place the following words—

"(*b*) That there are vacant school places available in schools not affected by a permission given under this section equal to the number of the remaining children attending the school; provided that the requirement as to vacant school places shall not apply unless at least ten places are required, and that a child shall not be reckoned in calculating the number of vacant places if the parent of the child shows at the inquiry that he does not desire accommodation in another school for the child, and that no vote has been given at the ballot in respect of the child."

The noble Earl said: The next Amendment is in my name, and is one of more substance than those we have been considering. Your Lordships will remember that an important question was raised by an Amendment of the noble Marquess opposite upon Clause 4, which, as we thought, went a great deal too far. Its origin was due, I think, to some observations made at an earlier stage of the Bill by Lord Cawdor, in which he pointed out that there were certain circumstances under which schools to which we intended the regulations of Clause 4 to apply might be almost, as it were, by accident, deprived of the chance of obtaining those facilities. But the words substituted by the noble Marquess Lord Lansdowne, which are now paragraph (*c*) in Clause 5 of the Bill as amended on Report, went, as I say, in our opinion, a great deal too far. Not only did the Amendment meet those cases mentioned by Lord Cawdor, but, as we tried to show, it extended the privileges of Clause 4 to an altogether unwarrantable number of schools, and to schools to which the clause was never in any way intended to apply. We propose, therefore, to omit those words, and to re-insert the words which we originally had in the Bill, with certain additions. We propose to insert the following sub-section (*b*)—

"That there are vacant school places available in schools not affected by a permission given under this section equal to the number of the remaining children attending the school."

That form of words, we think, will make it more easy for children to be allocated according to their sex and age than the original words which we used. And then we add an important proviso—

"Provided that the requirement as to vacant school places shall not apply unless at least ten places are required;"

and we introduce the words that a child shall not be reckoned in calculating the number of vacant places if the parent shows at the inquiry that he does not desire accommodation in another school for the child. We claim that that gets rid of what we imagine would be the exceedingly rare case, but the undoubtedly possible case, of the extremely inconvenient infant, the one dissenting child who would have to be provided for somewhere, and who might spoil the whole business by the mere fact of his or her existence. We think that by allowing the need for accommodation not to apply unless at least ten places are required we meet that point satisfactorily. Of course, we frankly admit that we do not go nearly as far as the noble Marquess went in his Amendment. As I think we stated pretty explicitly when that Amendment was under discussion, it would be quite impossible for us to do so. I noticed in this morning's newspaper a letter from the noble Earl Lord Cawdor. I am sorry that he is not able to be in his place, and has been obliged to have recourse to the columns of *The Times*. The noble Earl dwells a good deal on this inconvenient child, but I need not say anything on that, because we hope that by our proposal we have met that point; but Lord Cawdor goes on to press the point that the noble Marquess's Amendment really did no more than to extend the operations of the clause. This is an observation which we cannot allow to pass without contradiction, because we do not think that such a change as Lord Lansdowne's Amendment contemplated can be regarded as a mere extension. It must be regarded, I think, as a reversal of the principle of the clause. If a Bill were to come up from another place, saying that all persons over eighty were to have pensions and your Lordships were to alter the age to forty, that would be an extension of the operation of the Bill, but it would also be entirely changing its character; and that is what we think the noble Marquess will have done if his clause is allowed to stand part of the Bill. I hope that noble Lords who have had the opportunity since yesterday of seeing this Amendment on the Paper may agree to the elimination of the noble Marquess's words and to the insertion of these words in their place.

Amendment moved—

"In page 4, line 20, to leave out from the word 'and,' to the end of line 29, and to insert, '(*b*) that there are vacant school places available in schools not affected by a permission given under this section equal to the number of the remaining children attending the school. Provided that the requirement as to vacant school places shall not apply unless at least ten places are required, and that a child shall not be reckoned in calculating the number of vacant places if the parent of the child shows at the inquiry that he does not desire accommodation in another school for the child, and that no vote has been given at the ballot in respect of the child.' "—(*The Earl of Crewe.*)

*THE MARQUESS OF LANSDOWNE: I can assure the noble Earl that I am sincerely grateful to him for the attempt he has made to meet the point I raised when this clause was discussed on Report, and I therefore very greatly regret that I do not see my way to accept his proposal. It is quite true that the alternative which he proposes to your Lordships would meet the extreme case in which a single child might block the way to a school otherwise entitled to claim extended facilities. The case of the single child was, of course, used by us as a kind of *reductio ad absurdum* of the clause, and the noble Earl told us the other night that it had certainly never been the intention of the Government that where all the conditions were fulfilled the existence of one extremely inconvenient

child should alter the whole character of a school. The noble Earl said that in answer to an observation that fell from the Duke of Devonshire. Now, I have not the slightest doubt that the noble Earl never intended anything of the kind, but as has often been the case during these discussions, we have to consider not only what has been said by the noble Earl but what has been said by some of the noble Earl's colleagues. I venture to call the attention of the House to a statement which was made by no less a person than the Chancellor of the Exchequer upon this very point in July of this year. The Chancellor of the Exchequer was at that time addressing himself to a purpose very different from that to which the noble Earl has been addressing himself to-night and recently. The Chancellor of the Exchequer was endeavouring to keep quiet some very restless supporters of his who thought that this Bill was altogether too denominational in its character. This is what the Chancellor of the Exchequer said—

"Many of my friends view this clause with unfeigned repugnance, but I think when they come to consider the matter carefully they will be reassured on the subject. The safeguards we have set up for the protection of the public and of the minority seem to me adequate for the purpose"

And then he went on to say—

"What is most important of all, if there be a minority, a minority however small, if it be only the parent of one child, the extended facilities are only allowed in the case where there is an accessible and alternative denominational school to which these parents can send their children."

Therefore, in the view of one member of the Government at any rate it was intended that the presence of a single dissentient child should block the way to these extended facilities. The noble Earl very kindly proposes to mitigate that grievance, and he mitigates it to to this extent, that he says that the way shall not be blocked unless there are at least ten dissentient children. Well, my Lords, ten dissentient children may be a considerable fraction in some cases and a very inconsiderable fraction in others. Ten children in a school of fifty or sixty is a large fraction, but ten children in a school of 300 or 400 is a small fraction. The thing, therefore, would work unevenly.

But that is not all. If they are to fulfil the conditions laid down for us by the noble Earl, the applicants for extended facilities must prove the existence of a number of vacant places in other schools equal to the number of children whose parents are dissatisfied with the granting of facilities. How will that work? If there are to be available places, it will not be enough to say there is a minority of thirty children in the school and there are thirty places in adjoining schools. You will have to show that the accommodation is really available accommodation. That is, that if there are boys amongst the minority, there are boys' places vacant; that if there are girls amongst the minority there are girls' places vacant, and so on. Those are conditions which it will be extremely difficult to comply with. It really comes to this, that supposing you have thirty places to find you may find perhaps places for twenty-eight, but there may remain one or two pegs for which you cannot find holes, and therefore, you do come back after all to the inconvenient infant who may shipwreck your whole proposal. I use this argument because it is quite evident, from the wording of this sub-section, that His Majesty's Government contemplate that this legal procedure should be followed with very close strictness.

Then the noble Earl allows the parents of the children to declare, if they like, that they do not press for this accommodation for the minority, but still, as the clause remains, the parents who are silent will be counted as in opposition. That is to say, the silence of two parents with five children apiece will, as I understand this sub-section, be enough to make the whole thing collapse. Surely we come back to this, that, in spite of the kind offer which the noble Earl has made, the absence of alternative accommodation for a quite insignificant minority of children will be enough to prevent a school which naturally might expect to get these facilities from obtaining them. You cannot get away from that. The rule seems to us the more hard and oppressive because, as has been admitted, this clause, while it will save the interests of the Jews, while it will save the interests of the Roman Catholics, while it may save the interests of some of the extremer Anglican schools, will, if the views of His Majesty's Government prevail, do little or nothing for the moderate Church of England schools, in which Church feeling prevails as intensely and as devoutly as in any denominational schools. To those schools the noble Earl offers Clause 3 facilities, and those facilities are offered without the use of the teachers. To put off a school such as I have described with Clause 3 facilities, with amateur teachers, while that old devoted teacher of whom we have heard so much, who is not to be allowed to go on with the teaching, stands aside with folded hands unable to take part in the life of the school, seems to me, if I may say so, a wholly illusory offer.

I turn to my Amendment. I cannot see that my Amendment can create any hardship for any child or for any parent, because the point of it is that it leaves it open to any child whose parent is dissatisfied with the facilities to obtain Cowper-Tewple teaching, the teaching which the child would get if the school was not allowed to receive facilities at all. Let me dwell also on the fact that under the clause as it now stands the widest discretion is conferred on the local education authority. If my words are not adequate to give sufficient discretion to the local education authority, by all means let us alter them; but the intention of the clause, as I amended it, is that the local education authority should be trusted to permit these facilities where suitable arrangements can be made, and to withhold facilities where, owing to local circumstances, a suitable arrangement cannot be made. I have said all I have to say in defence of my proposal. I cannot accept the alternative of the noble Earl. I repeat that I am by no means wedded to my own formula; and if out of the discussions which I hope may arise in consequence of the Amendments inserted by your Lordships in this Bill should emerge some other proposal which will really deal adequately with what we believe to be a real grievance, I for one am ready to entertain that proposal. But I regret to say that, as matters now stand, I cannot give the noble Earl opposite a receipt in full for the small payment on account which he is good enough to offer to me.

LORD STANLEY OF ALDERLEY said the rejection of the offer of the noble Earl made it perhaps not necessary to examine too minutely the character of that offer. But had that offer been accepted it would not, he thought, have been satisfactory in the case of small schools to allow them to treat ten children as the minimum. In a school of thirty or forty, ten children would be a third or fourth; and as the Government had not receded from their opinion that there should be four-fifths in favour of the facilities he thought the provision as to the number of persons dissenting ought to be ten or not less than one-fifth, whichever was the lesser number. He pointed out that the Board of Education had been accustomed to deal with such small numbers of children as the noble Marquess had mentioned ever since the passing of the Free Education Act. He had seen reports of inspectors suggesting arrangements for the provision of two and three children in particular departments.

*THE LORD CHANCELLOR (Lord LOREBURN): My Lords, in order to save Lord Ashbourne's Amendment which comes next, I propose to put the Question down to the word "elsewhere" in line 26. The Amendment is, therefore, "in page 4, line 20, to leave out from the word 'and' down to and including the word 'elsewhere' in line 26."

On Question, "That the words proposed to be left out stand part of the Bill," their Lordships divided:—Contents, 115; Not-contents, 43.

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Haversham, L.
Headley, L.
Joicey, L.
Lyveden, L.
Monkswell, L.
O'Hagan, L.
Pirrie, L.
Reay, L.
Ribblesdale, L.
Ritchie of Dundee, L.
Sanderson, L.
Sandhurst, L.
Saye and Sele, L.
Sefton, L. (*E. Sefton.*)
Stanley of Alderley, L.
Stanmore, L.
Tenterden, L
Wandsworth, L.

Lord ASHBOURNE moved to insert, after the word "elsewhere," the word "for." He said the Amendment was a purely drafting one.

Amendment moved—

"In page 4, line 26, after the word 'elsewhere,' to insert the word 'for.'"—(*Lord Ashbourne.*)

On Question, Amendment agreed to.

Consequential Amendment agreed to.

*The Earl of CREWE: This Amendment covers the possible case of an agreement made for the purchase or hire of a school house under Section 19 of the Act of 1870.

Amendment moved—

"In page 5, line 9, after the second 'any,' to insert the word 'agreement.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

*The Earl of CREWE: The next Amendment is also a drafting one. The words are at present in the clause as a proviso, whereas they ought to be a new sub-section. They have nothing to do with the sub-section itself.

Amendment moved—

"In page 5, line 28, to leave out the words 'provided that,' and begin a new sub-section."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

The Earl of CAMPERDOWN moved to re-insert what was originally Clause 6 in the Bill. It was, he said, a very innocent, and, so far as he could see, a very useful clause, and he asked their Lordships to re-insert it because no reason had ever been given for omitting it. When the original Clause 6 was moved there was a proviso at the end which Lord Llandaff desired to omit. A short discussion followed, and the noble Earl in charge of the Bill, in an unfortunate moment, suggested that the Bishop of Oxford and Lord Clifford of Chudleigh had two Amendments standing on the Paper which he said related to the same matter. He was not at all surprised that his noble friend the Lord President did occasionally say something that was not quite correct. He was only surprised that he had preserved his head so well through the intricacies of the long Committee stage. But in this instance the noble Earl did make a mistake. A general discussion followed, and the result was that no conclusion was arrived at of any sort or kind. He listened very carefully, as he thought, but he did not hear Lord Llandaff's Amendment put at all; but it appeared it was put and agreed to. However that might have been, Lord Salisbury then moved the omission of the clause. He gave no reason for that Motion, but their Lordships omitted the clause. It was the dinner-hour and in the confusion that occurred ——

The Marquess of SALISBURY: It was before dinner.

The Earl of CAMPERDOWN: Well, it may have been before dinner, but your Lordships were rushing off to dinner, and the Lord Bishop of Oxford then got up and sagaciously moved his clause, which was inserted in the Bill and Clause 6 disappeared.

THE LORD BISHOP OF OXFORD rose to speak.

THE EARL OF CAMPERDOWN: I think it would be better if the right rev. Prelate allowed me to move my Amendment and then said what he had to say upon it. I can assure the right rev. Prelate that I did not in any way wish to reflect on what he did. On the contrary, I think he was most worldly wise.

THE LORD BISHOP OF OXFORD said he was not desirous of being thought either sagacious or worldly wise. Before Lord Salisbury moved the omission of Clause 6 there had been a considerable discussion as between Lord Clifford of Chudleigh's Amendment and his (the right rev. Prelate's), and by the courtesy of Lord Clifford, his was chosen. It was in no sense at the last moment, just before the dinner-hour, that a decision was arrived at.

THE EARL OF CAMPERDOWN said that if it would gratify the right rev. Prelate he would withdraw all his remarks that related to him. The clause which he proposed to insert simply provided that if the local education authority at any future time made an arrangement for the transfer to them or the use by them of the schoolhouse of an elementary school, not being a public elementary school, and conducted it as a public elementary school provided by them, the foregoing provisions with respect to facilities, including extended facilities, should apply to that school in the same manner as they applied to a transferred voluntary school. That was a very innocent and a very useful proposition so far as he could understand it, and he asked their Lordships to re-insert the clause. There would be many cases which would not be covered by the right rev. Prelate's clause.

Amendment moved—

"After Clause 5, to insert the following new clause, 'If the local education authority at any time make an arrangement for the transfer to them or the use by them, of the schoolhouse of an elementary school not being a public elementary school, and conduct it as a public elementary school provided by them, the foregoing provisions of this Act with respect to facilities (including extended facilities) shall apply to that school in the same manner as they apply to a transferred voluntary school.'"—(*The Earl of Camperdown.*)

*THE EARL OF CREWE: The early stages of the discussion on this Amendment conveyed, I am sure, an extremely valuable moral lesson, but I do not know that they were of very great importance with regard to the particular clause with which we are dealing. The noble Earl is quite right in thinking that there would be cases which would come in under our old Clause 6 which would not be covered by the Bishop of Oxford's Clause. He will remember, of course, that our Clause 6 did apply to new schools.

*THE EARL OF CAMPERDOWN: To any voluntary schools taken over in the future.

*THE EARL OF CREWE: But practically new schools, for all existing schools would be dealt with under the other provisions. It is true it would cover cases which are not met by the right rev. Prelate's Amendment, and therefore I have no objection to its re-insertion.

On Question, Amendment agreed to.

LORD ASHBOURNE said that the Amendment standing in his name was a drafting Amendment, and he assumed the noble Earl in charge of the Bill would have no objection to it.

Amendment moved—

"In Clause 6, page 6, line 24, after the word 'Act,' to insert the words 'or an order under Section 11 of this Act.'"—(*Lord Ashbourne.*)

*THE EARL OF CREWE: I have no objection to any of the noble and learned Lord's three Amendments as the Bill now stands; but, of course, I must not be taken as agreeing to the policy which they represent.

On Question, Amendment agreed to.

Amendment moved—

"In Clause 6, page 6, line 28, after the word 'school,' to insert as a new paragraph 'When the powers of the Commission appointed under this Act have expired, the Board of Education shall, without prejudice to any other power, have the same power to make an order with respect to a schoolhouse provided under this section as the Commission originally had.' "—(*Lord Ashbourne.*)

On Question, Amendment agreed to.

*THE EARL OF CREWE: The next Amendment is to leave out the reference to Sections 3 and 4 and insert a description, in order to avoid the rather mistaken practice of alluding to sections by their numbers.

Amendment moved—

"In Clause 7, page 6, lines 35 and 36, to leave out the words 'in accordance with Sections 3 and 4 of this Act for the purpose,' and to insert the words 'as a condition of any arrangement or order of the Commission with respect to a schoolhouse, or of the purchase or hire of a schoolhouse or afforded as extended facilities under this Act.' "—(*The Earl of Crewe.*)

On question, Amendment agreed to.

LORD CLIFFORD OF CHUDLEIGH moved the insertion of a new proviso in Clause 11, the object of which was, he said, to prevent a certificate of the Board of Education with regard to the structural suitability of the building being given quite irrespective of the willingness or power of the owners to make such alterations as would render the building structurally suitable. The Commission naturally would not have given their decision that the building was structurally unsuitable without hearing what the Board of Education required to make it so, and where owners were prepared promptly and efficiently to carry out those alterations they should be allowed to do so. He thought there should be some provision that the Board of Education should not only consider the existing condition of the building, but also the willingness and the power of the owners to render it suitable.

Amendment moved—

"In Clause 11, page 10, line 12, after the word 'Commission,' to insert the words 'provided that the Board of Education shall not certify that any schoolhouse is structurally unsuitable, unless they have allowed the owners a reasonable time for alteration or rebuilding, and unless the time so allowed shall have expired.' "—(*Lord Clifford of Chudleigh.*)

*THE EARL OF CREWE: I hope the noble Lord will not press this Amendment, which I think is not really a necessary one. It must be assumed that the Board of Education, which, as the noble Lord will agree, tries to act fairly in these matters, would not declare a school unsuitable if there was an immediate prospect of the necessary alterations forthcoming. I am speaking, of course, of structural efficiency, and leaving out all question of necessity. I think it is hardly fair, by a direction of this kind, to tie the discretion of a public Department in this matter. I think noble Lords must assume that such discretion as there is will be properly exercised by the responsible Board.

LORD CLIFFORD OF CHUDLEIGH said he was quite willing, after that declaration, to withdraw his Amendment.

Amendment, by leave, withdrawn.

*THE EARL OF CREWE: By my first Amendment to Clause 12 I propose to insert the words "after the first application." They are inserted to make it quite clear that the words "but no such application" in sub-section (b) apply only to second and subsequent applications. If the words as they stand were strictly construed it might conceivably make it impossible for the first application to be made.

Amendment moved—

"In Clause 12, page 10, line 28, after the word 'but,' to insert the words 'after the first application,' and to leave out the word 'such,' and to insert the word 'further,' and after the word 'application,' to insert the words in respect of any order.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendment agreed to.

*THE EARL OF CREWE: My next Amendment is designed to make it quite clear that the Board of Education are to have the same powers as the Commission, including the power to give leave to appeal.

Amendment moved—

"In Clause 12, page 10, line 35, at end of line to insert the words 'and shall have the same powers, including power to give leave to appeal.' "—(*The Earl of Crewe.*)

THE LORD BISHOP OF WAKEFIELD said be presumed that this power was confined to varying or cancelling orders made by the Commission, and that it did not refer to schemes.

*THE EARL OF CREWE: Yes, it applies to orders.

On Question, Amendment agreed to.

* THE EARL OF CREWE: It is clear that the need for a ballot can only arise in the case of applications for extended facilities, and the words which I now move to insert are to make that clear.

Amendment moved—

"In Clause 12, page 10, line 37, after the word 'order,' to insert the words 'under which extended facilities are given.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

* THE EARL OF CREWE: The next Amendment is simply a matter of arrangement. Sub-section (5) of Clause 2 contains a provision as to the conditions or arrangements under that Clause. It is intended that orders made by the Commission should be on the same footing as arrangement. Therefore we apply the provisions of this sub-section.

Amendment moved—

"In Clause 12, page 11, line 19, after '(3)' to insert 'and (5).' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

LORD ASHBOURNE moved the insertion of a new paragraph in Clause 14. This was, he said, the last of his three Amendments to which the noble Earl in charge of the Bill had signified his assent.

Amendment moved—

"In Clause 14, page 12, line 25, after the word 'education,' to insert as a new paragraph: 'When the powers of the Commission have expired, the Board of Education shall, without prejudice to any other power, have the same power to make an order under this section as the Commission originally had.' "—(*Lord Ashbourne.*)

*THE EARL OF CREWE: I accept the Amendment.

On Question, Amendment agreed to.

Drafting Amendment agreed to.

*THE EARL OF CREWE: The words "so appointed" in line 30 of Clause 15 are inappropriate. When the Bill was first drafted the Commissioners' names were not inserted, and now that they have been added the words do not fit in.

Amendment moved—

"In Clause 15, page 12, line 30, to leave out the words 'so appointed,' and to insert the words 'under this Act.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

*THE EARL OF CREWE: The next Amendment is of a drafting nature. It makes clear that the words "notwithstanding any vacancy" in sub-section (4) of Clause 15 belong to the words which precede them and not to the words which follow.

Amendment moved—

"In Clause 15, page 12, line 37, after the word 'number,' to insert the word 'and.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Drafting Amendments agreed to.

*THE EARL OF CREWE: The next Amendment is to substitute an order for a scheme in Clause 16. As these clauses are now drafted, your Lordships will remember that a scheme is distinguished from an order, and it is necessary to change the word here.

Amendment moved—

"In Clause 16, page 14, line 1, to leave out the words 'a scheme,' and to insert the word 'order.' "—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

Consequential Amendments agreed to.

*THE EARL OF CREWE: My next Amendment, which is to Clause 19, meets a point that was raised by Lord Camperdown. The noble Earl called attention to the fact that the definitions in the supplemented provisions were lumped together in one clause, and he quite rightly pointed out that that was inconvenient and unusual. It was, in fact, only done as a temporary arrangement, and this Amendment is to make from the beginning of line 29 to the end of the clause a new clause, with a marginal note "Supplemental provisions."

Amendment moved—

"In Clause 19, page 15, line 29, to make from the beginning of line 29 to the end of the clause a new clause, with marginal note, 'Supplemental provisions.'"—(*The Earl of Crewe.*)

*THE LORD CHANCELLOR was proceeding to put the Question, "That the words 'supplemental provisions' be inserted in the marginal note," when

THE EARL OF HALSBURY intimated that it was not in order to amend a marginal note.

*THE LORD CHANCELLOR: Then in that case the Amendment has no right to appear on the Paper.

THE EARL OF HALSBURY said the marginal note was never looked at in construing a Statute. According to the rule of Parliament no such question was ever put to the House. The marginal note was simply added according to the view of the Clerk at the Table.

*THE EARL OF CREWE: I am sure the noble and learned Earl is right. The Amendment ought not to have appeared on the Paper.

Amendment, by leave, withdrawn.

*THE EARL OF CREWE had the following Amendment on the Paper to Clause 20 (schemes with reference to delegation), viz.—

"Page 17, to leave out from beginning of line 20 to the end of line 31, and insert 'such committee must be either—'(*a*) a body elected for the purpose in manner provided in the scheme by the local government or parochial electors for the delegation area, women being capable of being elected; or (*b*) a body consisting of the council of a local government area where that is possible owing to the delegation area being a single local government area, together with additional members if so provided by the scheme, not being more in number than one-third of the whole body and being either common or county councillors nominated by the county council; or (*c*) a body the ordinary members of which consist wholly of members of the councils of such local government areas, wholly or partly situated in the delegation area as the scheme directs, or partly of such members and partly of members nominated in manner directed by the scheme (provided that the nominated members do not exceed one-third of the total number of ordinary members) together with additional members if so provided by the scheme being all or any of the members of the county council representing any electoral division wholly or partly situated within the delegation area or residing in the area; where a local education committee contains nominated members the scheme shall provide that a certain number of the nominated members must be women.'"

The noble Earl said: We now come to the delegation clause. Your Lordships will remember the discussions that have taken place, very largely at the instance of the noble Lord opposite, Lord Belper, on this matter. We have tried to meet the views of those who represent the county councils, although I am afraid we have not been able to go quite so far as Lord Belper wished. I am sorry to say that, owing to a mistake, the Amendment as it appears on the Paper is not quite correct. There is an omission from it which is of a substantial character affecting the composition of one of the alternative bodies. Your Lordships will observe from the Amendment the noble and learned Lord on the Woolsack will ultimately put that the provision with regard to members of the county council representing any electoral division within the delegation area or residing in the area being additional members of the local education authority is applied to all three of the bodies instead of only to two as in the Amendment printed on the Paper.

Amendment moved—

"In Clause 20, page 17, to leave out from the beginning of line 20 to the end of line 31, and to insert the words 'such committee must be either—(*a*) a body, the ordinary members of which are elected for the purpose in manner provided in the scheme by the local government or parochial electors for the delegation area; or, (*b*) a body, the ordinary members of which consist of the council of a local government area where that is possible owing to the delegation area being a single local government area; or (*c*) a body, the ordinary members of which consist wholly of members of the councils of such local government areas, wholly or partly situated in the delegation area as the scheme directs, or partly of such members of council, and partly of members nominated in manner directed by the scheme (provided that the nominated members do not exceed one-third of the total number of ordinary members). If provision is made for the purposes of the scheme, all or any of the members of the county council representing any electoral division, wholly or partly situated within the delegation area, or residing in the area, may be additional members of the local education committee in addition to the ordinary members. Where the ordinary members of a local education committee are the council of a local government area, women may be appointed as additional members, and the scheme will provide that some women, not exceeding one-fifth of the ordinary members, be so appointed, and also where the local education committee consists partly of nominated members that some women be included among the members so nominated.' "—(*The Earl of Crewe.*)

LORD BELPER said that substantially the Amendment carried out the intention of the clause which he had moved on the Report stage. There were, however, differences. The first was that his proviso only referred to those education committees which had the power of spending money. It would therefore have been possible to constitute a committee not having spending powers in any way they liked. He had been told that the committees who would have the power of spending money would form by far the greater majority; indeed, it had been stated that it would not be possible to constitute any committee under this scheme without giving them some powers of spending money. He did not take the same view himself, and that was why he moved the Amendment in the form in which he submitted it to their Lordships. At the same time the matter was such a small one when looked into that he did not wish on that account to reject the clause which the noble Earl had moved. There was another difference. His words with regard to the nominated members who were added would have referred to every committee however constituted. He agreed that two-thirds of the members should always be representative, but one-third might be nominated in all cases. He was not very much surprised that the noble Earl had moved the clause in a somewhat different form. In the case of an authority elected *ad hoc* it might be a stumbling block to add nominated members, and therefore he was not surprised that sub-section (a) had been proposed without the addition of nominated members. But personally he thought that in some cases it might be a very valuable addition if members of the council who had taken an active part in education up to this time were allowed to be added even to a body elected *ad hoc.* He regretted that the additional one-third had not been made distinctly to refer to the body to be elected under sub-section (b). That practically would be an urban council, an admirable body in many ways for dealing with the details of their own schools in their own neighbourhood. But it was quite possible that the members might not be men of great educational experience, and the addition of gentlemen who had had experience in educational matters would, in some cases at all events, make that body more efficient. He thought the provision with regard to the addition of women very valuable. The rest of the clause entirely carried out their view. There were, as he had said, differences but they were not important enough to justify him in doing anything that would prevent a settlement.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE) said they had listened with great satisfaction to the remarks of Lord Belper. It was clear that they were substantially in agreement. He thought noble Lords would have arrived at the conclusion that cases in which a Committee could do useful work where no financial responsibility was involved would be very rare, and it was hardly worth attempting to provide for them. In any case, the difference between the clause as proposed by the Lord President and by Lord Belper was one of form more than of substance. The principal criticism of Lord Belper had rather been that under sub-sections (a) and (b) they had not provided, except in the case of ladies, for the co-option of members. That was perfectly true, but the probability was that the main operation of the clause would be under sub-section (c). That being so, he thought they had substantially met the noble Lord or, at all events, had gone very far towards meeting him on that point.

On Question, Amendment agreed to.

Drafting Amendments agreed to.

*THE EARL OF CREWE: The next Amendment is a matter of arrangement. It is to insert a new sub-section. The words are omitted in Clause 31, and therefore ought to come in here.

Amendment moved—

"In page 22, line 31, after the word 'resident,' to insert as a new sub-section, 'The powers and duties of a local education authority under Part III. of the Education Act, 1902, shall include a power to aid by scholarships or bursaries the instruction in public elementary schools of scholars from the age of twelve up to the limit of age fixed for the provision of instruction in a public elementary school by sub-section (2) of Section 22 of that Act.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

*THE EARL OF CREWE: The Amendments standing in my name to Clause 31 are merely drafting Amendments, to which I do not anticipate any objection will be taken.

Amendments moved—

"In Clause 31, page 23, line 1, to leave out from the word 'place' to the word 'and' in line 6; in line 14, to leave out from the word 'schools,' to the end of the clause; and in line 19, at the end of the line, to insert the words 'provided that in any exercise of powers under this section, the local education authority may encourage and assist the establishment or continuance of voluntary agencies, and associate with itself representatives of voluntary associations for the purpose.'"—(*The Earl of Crewe.*)

*LORD HAVERSHAM asked the noble Earl to explain what was meant by the words "and assist" in the proposed new proviso. What they were dealing with were voluntary associations, and surely it was not intended that the Government should assist them out of the rates. If it was not so intended he thought the insertion of the words "and assist" would be very dangerous. He suggested the substitution of the words "and promote."

*THE EARL OF CREWE: Occasions might arise when it might be far more economical for the local authority to give some actual assistance to an association of this kind than to carry on the work itself. For this reason I think it would be a pity to omit the words. Occasional help is contemplated.

On Question, Amendment agreed to.

LORD BELPER explained that the Amendment standing in his name was to carry out a point which he mentioned on the Report stage. It would give discretion to the local education authority in charging the parish with some part of the expense of conveyance if it was saved from building a school in consequence.

Amendment moved—

"In Clause 32, page 23, line 29, after '1870,' to insert as a separate sub-section, 'For the purposes of paragraph (c) of sub-section (1) of Section 18 of the Education Act, 1902, the county council may treat any expenses incurred by them in providing means of conveyance for teachers or children attending a public elementary school under sub-section (1) of Section 23 of the Education Act, 1902, in the same manner as they may treat the capital expenditure mentioned in the said paragraph (c).'"—(*Lord Belper.*)

*THE EARL OF CREWE: I raise no objection to the Amendment.

On Question, Amendment agreed to.

VISCOUNT LLANDAFF moved to omit from the enactments repealed in the schedule Sections 21, 23, and 24 of the Education Act, 1870. He said that in the present state of the Bill these enactments ought to remain as they were. Section 21 enabled the managers of a public elementary school, and persons desirous of establishing a public elementary school, to purchase land compulsorily under the Lands Clauses Act. In the original shape of this Bill it was contemplated that there should be no denominational schools in the future, and in that case it was quite unnecessary to keep alive this power. But their Lordships had inserted an Amendment providing that future schools could become part of the educational system of the country. As denominational schools might be founded in the future they would require to obtain sites, and he thought it would be highly undesirable to deprive them of this compulsory power. Therefore he contended that Section 21 ought not to be repealed. Section 23 of the Act of 1870 was also a most useful section. It enabled the local education authority to purchase, and the owners of a school to sell, the school outright. It was remarkable that the power to purchase was absolutely shut out from this Bill. If the local education authority wanted to turn a denominational school into a Cowper-Temple school the straightforward and honest course was to buy it, but this Bill gave them no power to purchase, and went so far as to repeal the section of the Act of 1870 which allowed them to buy the school. Not only was there power to purchase under Section 23, but also large powers to lease, to acquire the partial use of the school, or to make whatever arrangements might seem fit. That was a useful alternative to the cumbrous machinery of Clauses 2, 3 and 4 of the Bill. He believed that where there was a friendly local authority and sensible owners they might be able to devise an arrangement which would be perfectly satisfactory to all parties without going through the cumbrous procedure of Clause 4. He urged their Lordships to leave the door open to peaceful friendly arrangement.

Amendment moved—

"In page 27, lines 5 to 8, to leave out words 'Section 21, Section 23 (as from the date of the passing of this Act), Section 24 (except as respects transfers in force at the time of the passing of this Act.)'"—(*Viscount Llandaff.*)

*THE EARL OF CREWE: I hope the noble Viscount will not persist in this Amendment to the schedule, or, if he does, that your Lordships will not support him. Even with the Amendments which your Lordships have placed in the Bill the existing provisions and the existing repeals really do everything that is required. The noble Viscount said that Section 21 of the Act of 1870 gave school managers compulsory powers for the purchase of land. If he will look at the Act he will see that the provisions of the Lands Clauses Act applied, except those which related to purchase otherwise than by agreement. No managers of voluntary schools at any time have been able to take land compulsorily for the purpose of a school.

VISCOUNT LLANDAFF: The noble Earl will find that is not so. Section 21 enables them to take powers compulsorily under the Lands Clauses Act.

*THE EARL OF CREWE: The Act says that the provisions of the Lands Clauses Act shall apply "except so much as relates to the purchase of land otherwise than by agreement." There are no compulsory powers. I can assure the noble Viscount that he is incorrect on that point. If the noble Viscount looks at Section 19 of the Act of 1870, which we do not propose to repeal, he will see that it allows the purchase by the local authority of land or of schools, so that if it is possible for the owners of a school to sell outright there is nothing to prevent their making a friendly agreement with the local authority under that section. But the main objection that we have to retaining these sections is that in all of them the managers appear. Now, all the transactions which take place under this Bill relate to owners. The whole question of transfer rests as between the owners and the local authorities, and we certainly could not agree to re-admit the managers in any way.

On Question, Amendment negatived.

*THE EARL OF CREWE: The next two Amendments standing in my name both relate to the same point. Section 99 enables managers of schools to comply with any conditions required for the payment of the Parliamentary Grant, and therefore it is needed for the purpose of State-aided schools.

Amendments moved—

"In page 27, third column, line 8, after the word 'Act,' to insert the word 'and'; and in line 9, to leave out the words 'and Section 99.'"—(*The Earl of Crewe.*)

On Question, Amendments agreed to.

*THE EARL OF CREWE: The next Amendment is to leave out the words which repeal Section 22 of the Act of 1873. Under that section the local authority can obtain returns from elementary schools. These returns are useful in enabling the local authority to know how it stands in the matter of school accommodation, and we think it is valuable to retain that power.

Amendment moved—

"In the schedule, page 27, to leave out lines 10, 11, and 12."—(*The Earl of Crewe.*)

On Question, Amendment agreed to.

VISCOUNT LLANDAFF moved to omit the words, "the whole Act so far as unrepealed." The repeal of the Voluntary Schools Act, 1897, which would be effected unless his Amendment were carried, would make all voluntary schools in future liable for local rates. It seemed to him rather singular that throughout the long discussions that had taken place on this Bill, no reference had been made to the proposal to withdraw the exemption from rating which voluntary schools had hitherto enjoyed.

LORD BELPER: I specially referred to it on the finance clauses.

VISCOUNT LLANDAFF said he had not heard the point raised. They certainly had received no information from the Government to the effect that this exemption from rating would be withdrawn.

LORD FITZMAURICE: May I say that I remember speaking on the point in reply to Lord Belper.

VISCOUNT LLANDAFF said it was not stated in the Bill whether or not the owners and trustees of Clause 3 and Clause 4 schools would have to pay the rates. The words he proposed in his Amendment to insert were necessary in view of the fact that a voluntary school would be no longer a public elementary school; it only became a public elementary school when transferred to the local education authority. He hoped their Lordships would not allow this particular blow to be struck at voluntary schools.

Amendment moved—

"In the schedule, page 27, line 16, to leave out the words 'the whole Act so far as unrepealed,' and to insert the word 'public' in Section 4, line 2.'"—(*Viscount Llandaff.*)

LORD CLIFFORD OF CHUDLEIGH hoped the House would support the Amendment. All the schools which would be left would be schools whose existence was a distinct benefit to the rates. They would either be State-aided schools or certified efficient schools, and they would be doing a work which, if not done, would involve serious expense to the rates. Therefore the reason for which they were originally given this immunity still existed.

*THE EARL OF CREWE: The noble Viscount who has moved this Amendment has not been entirely accurate in one or two particulars. If he looks at Clause 16, he will see that a temporarily occupied school becomes a public elementary school while it is so occupied. In those circumstances, it clearly is the local education authority who would have to pay the rates during that time. Practically the only kind of school affected is the State-aided school, and there does not appear to be any reason why it should escape the ordinary burden of the rates. At any rate as our Bill was drafted we contemplated that these schools would be very few indeed, and we are not prepared to propose a special exemption for them.

On Question, Amendment negatived.

VISCOUNT LLANDAFF said his next Amendment affected the repeal of sub-section (2) of Section 6 of the Act of 1902. That section made provision for the appointment of foundation and other managers in public elementary schools that were not provided by the local education authority. He had, more than once, presented to the noble Earl the Lord President the difficulty that would arise in the case of temporarily occupied schools where there would be no managers at all. They were not provided schools, and therefore the local education authority would not have authority to appoint managers for them. If they repealed sub-section (2) of Section 6 of the Act of 1902 the managers would disappear and there would be nobody left with power to appoint managers. Once or twice the Lord President had suggested that the Board of Education could interpose and appoint managers. He ventured to assert, very confidently, that that was not so. The managers were a statutory body appointed under the Act of 1870. The Act of 1902 also dealt in detail with the manner of their appointment. They were statutory officers throughout. There was no section in any Act of Parliament which would enable the Board of Education to appoint a set of managers for these schools. The Act now provided that the local education authority might occupy temporary schools for two years, that was until 1st January, 1910, and he thought no harm could be done, inasmuch as this was only a temporary occupation, by leaving the managers of the schools as they were under the Act of 1902, so that the old system of management would go on in the schools during the period that they were so occupied. If that was not done he conceived that there could not, legally, be any managers at all. That surely was not a result their Lordships would desire to see brought about by this Bill. The same argument applied to State-aided schools, which would not be provided schools. Their foundation managers would be taken away by the repeal of this sub-section, and the local education authority would not have the power to appoint managers for them.

Amendment moved—

"In the schedule, in page 27, line 25, after the word 'six,' to insert the words 'as from the first of January one thousand nine hundred and ten.'"—(*Viscount Llandaff.*)

*THE EARL OF CREWE: I am afraid I must have made myself very badly understood if the noble Viscount thought I ever suggested that these temporarily used schools under Clause 16 should have managers appointed by the Board of Education. What I always intended to say, and what I cannot help thinking I said, was that those schools would become provided schools for that time, and that their managers would be appointed, as in the case of other such schools, by the local education authority. They become public elementary schools, and therefore they become provided schools, and during that time the managers would be appointed by the local education authority. I do not think it can be maintained that any unfairness could result to these schools from that fact, because, if the noble Viscount looks at sub-section (2) of Clause 16, he will see that the rights of those schools to be carried on practically as they have been hitherto are so entirely preserved that it would be impossible for managers appointed by the local education authority, even if they desired it, to interfere with their conduct. I think the noble Viscount will see, further, that the fact that they do become provided schools obviously makes it unmeaning to continue the foundation managers. Being provided schools, the existence of foundation managers would be anomalous.

VISCOUNT LLANDAFF: Under what clause do they become provided schools?

*THE EARL OF CREWE: Their use is taken for the purpose of public elementary schools, and by Clause 1 a public elementary school is a provided school.

On Question, Amendment negatived.

*THE EARL OF CREWE: The next Amendment has reference to the repealing of Sections 8 and 9 of the Education Act of 1902. Those sections deal with the powers of the Board of Education with respect to the provision of new schools. As the Bill now stands, after the important additions which have been made to the old Clause 6, everything, I think, provided for in those sections is provided for in the new Clause 6, and therefore they ought to go out. There is this one exception, that in these sections there is an appeal by ten ratepayers against a new school. It is not found in practice that that is a very valuable provision, and I am sure the noble Marquess opposite, Lord Londonderry, will confirm me in that. As a matter of fact, the Board of Education do exercise all the necessary control under Section 96, I think it is, of the Act of 1870, which allows them to refuse grants; and the Local Government Board, also on the advice of the Board of Education, have a very complete control over the local authority in the same way by being able to refuse a loan for the purpose.

Amendment moved—

"In the schedule, page 27, third column line 27, after the word 'eight,' to insert the word 'and,' and after the word 'nine,' to insert the words 'as from the date of the passing of this Act.'"—(*The Earl of Crewe.*)

*THE MARQUESS OF LANSDOWNE: I should like to ask the noble Earl whether he is quite sure that the repeal of those two sections—Sections 8 and 9—is really desirable. The noble Earl has told us that Clause 6 of the Bill deals with the provision of new schools. That is true. But what Clause 6 deals with is the provision of new schools with facilities. Is it clear that we can afford to dispense with the provisions contained in Clauses 8 and 9 of the Act of 1902 under which machinery is provided for deciding whether new schools are or are not desirable? It seems to me conceivable that cases might arise in which, for various reasons, the local education authority, desiring perhaps to provide that alternative accommodation which figures so largely in certain parts of the Bill, might be very glad to have machinery for setting up a new school at which that alternative accommodation might be provided. At any rate, the existence of the two clauses on the statute-book does not seem to me to be fraught with any considerable danger, and I should have thought it would have been better to leave them alone.

*THE EARL OF CREWE: I mentioned the only point on which any control over the local education authority would be lost, namely, the objection of ten ratepayers. On all other matters the Board of Education and the Local Government Board have precisely the same powers as they have had before. I will not divide the House, however, if the noble Marquess insists.

*THE MARQUESS OF LANSDOWNE: Oh, no, I only wished to clear the point up. I do not press it.

On Question, Amendment agreed to

Consequential Amendment agreed to.

*THE EARL OF CREWE moved to leave out sub-section (5) of Section 24 from the list of sections to be repealed. The noble Earl said: This sub-section defined the expression "trustee," and as that expression has been introduced into the Bill it is clear that the definition ought to stand.

Amendment moved—

"In the Schedule, page 27, lines 38 and 39, to leave out the words 'sub-section (5) of Section 24.'"—(*The Earl of Crewe.*)

On Question, Amendment agreed.

*THE EARL OF CREWE: My Lords, it is now my duty to move "that this Bill do pass." It may be desirable before doing so that I should say a few words on the general situation in which we stand after the careful consideration—in which I greatly admired the patience of your Lordships—to which the Bill has been subjected. In making this Motion I stand in a somewhat unusual position. If these were really the final dealings with the Bill it would be a very serious matter for reflection with me whether, instead of proposing this Motion, I should not have to vote against it if proposed by some one else. But the Motion which I shall shortly have to make means that this Bill shall once more go back to the other House for consideration of the changes which it has received at your Lordships' hands.

It appears to me that it is right, having had the conduct of the Bill through this House, that I should to the best of my ability remind your Lordships what are the changes that have taken place in the Bill since its first arrival here. In doing so I find myself rather in the position of Mark Antony in the play, when he held up the mantle of the murdered Julius Cæsar; but with these two important differences. In the first place, I do not possess the persuasive art of the Roman, and, in the second place, the great majority of those whom I have now the honour of addressing have been accessories to the crime. But I have to point to the different gashes that have been made in the mantle—

"Look! in this place ran Cassius' dagger through:
See, what a rent the envious Casca made!"

If we can reconstruct the Bill by the aid of memory let us look at it as it was, and see what changes have been made. As it came up Clause 1 was a very simple clause, and it still remains a tolerably simple clause, though your Lordships have made an addition to it which is, I think we must all admit, of purely abstract character. You have pronounced that it is necessary that a certain part of every day should be set apart for religious instruction; but you have not said that any religious instruction need be given during that period. Consequently the addition cannot be regarded as anything beyond an expression of opinion on the part of your Lordships that it is an excellent and desirable thing that during some part of every school day religious instruction should be given.

Next we come to the arrangements which can be made between the owners of schools and the local authorities. Your Lordships have destroyed, except in certain circumstances, the right of the local authority to refuse particular schools. I must remind the House that the manner in which these particular schools may on appeal be forced upon them, even although they do not want them, will operate not only when the appeal comes on, but will also operate during the process of bargaining, and will tend greatly to hamper the freedom of the local authority. In that respect your Lordships have cut deep into one of the great governing principles of the Bill—the principle of public control. If no arrangement is made the owner has the right in every case to bring the school before our Commission of three. I need not weary your Lordships with any further description, because the discussion has been so recent as to the manner in which the duties of the Commission have been altered by Amendments. I will only say that, whereas when the Bill arrived here the duty of the Commissioners was purely legal in character, now you are asking them to deal with the particular matters around which, and above all others, this unhappy religious controversy rages.

We next pass to the provision of ordinary facilities. There was a time in the passage of this Bill when you increased the number of days on which these facilities had to be given, but for once—I am sorry to think it was only once—thinking better of your Amendment, your Lordships restored the limit of ordinary facilities to two days. Consequently the clause as it stands does not look so very different from what it was when it came into the House. But, of course, I need hardly remind you that its operation is very considerably affected, in the first place by the change it makes as to the attendance at the schoolhouse being compulsory—this gravely interferes with the operation of the conscience clause—and also to a still greater extent by the important change which has been made in allowing the teacher to give this facilities teaching. That, we cannot help thinking on this side of the House, adds very seriously to the probability that these schools, which were intended to be undenominational, will fall under the absolute and entire influence of a denomination, and will retain a denominational atmosphere. The general effect, therefore, as regards these schools under Clause 2 is to maintain that grievance of the Nonconformist minority which your Lordships have always been very quick to admit, but which when we have mentioned it you never, either in the past or during the progress of this Bill, attempted to remedy in any way which those who suffered from it would consider to be effective.

I come next to the extended facilities. Again your Lordships have removed any discretion whatever from the local authority as regards those schools under Clause 4. You have abolished the urban limit and the limit of number which we placed in the original Bill. That in itself might not have been considered a matter of such very great gravity if the other conditions of the clause had been preserved. But the alteration must be taken in the light of the other alterations made. You have changed the proportion of four-fifths to the very different proportion of two-thirds of those who take the trouble to vote, which, as we have pointed out, enables one of these schools to become entirely denominational, even though only a small minority of the parents of the children attending it express any active desire that it should be so. You have also inserted the clause upon which we were engaged to-day, and which as it stands enables single schools in rural parishes to come in for the benefits of this clause, thereby completely altering its scope.

Taking all these Amendments to Clause 4, and considering them together, no one can possibly attempt to deny that the whole character of the clause has been changed. But having secured this alteration, your Lordships next proceeded to invade the council schools. The new sub-section to Clause 3, for which Lord

Salisbury is responsible, casts on the local education authority the duty of giving in council schools general facilities to the uncertain number of parents which may be defined as reasonable. That is an entirely new claim, and it in no way arises out of this Bill. I cannot help thinking that if your Lordships chose to strengthen here or to weaken there, as the Bill was before you, there would have been much to say from your Lordships' point of view, if you had refrained from interfering with schools, the system of which has been a fixed one for the last thirty-six years, and intrusion into which is certain to be greatly resented by the local authorities now managing them.

Then, my Lords, in Clause 6 there was a further invasion of popular control. Clause 6, as amended, is obviously intended to indicate that your Lordships mean the denominational system, not merely to endure, but to be widely extended. It is only necessary to wait, because the pendulum may swing far and swing long, but it is bound to swing back until you have a sympathetic President of the Board of Education, such a Minister as Lord Salisbury would make, and then you can flood the country once more under this clause with a new set of denominational schools. Next we come to the subject of the teacher. Nominal liberty to do what he likes is restored to the teacher by permitting him to give facilities instruction in the Clause 3 schools. I say "nominal liberty," for in a great many cases he knows that it is not liberty. He knows that if he refuses he may lose money which he can ill afford not to earn, and he does not want in many cases to have that temptation set before him. He knows also if he declines to give it, he may annoy important people who can make life not too pleasant for him. It is for that reason that a great body of teachers, and also an immense number of people who are not teachers, consider that, in giving this permission, you are in many cases imposing an indirect test on the teacher.

I noticed the other day that one of the noble Marquess's former colleagues —Mr. Wyndham—was employed in instructing the youthful mind at the Oxford Union, and he stated that the cry "No tests for teachers" was all nonsense (that was the effect of his words) and that there ought to be tests for teachers. No noble Lord has gone so far as that. There is still time for you to say whether teachers ought to be tested, but in the absence of any such statement we are bound to believe that noble Lords opposite do not believe that the conferring of what I think is an invidious privilege on the teacher really does lead to the imposition of a test.

I do not dwell on the dealings of your Lordships with the Welsh Council clause. The noble Earl who attacked that clause with such vigour is not here, and his absence makes it even less necessary for me to argue the point again. But I may remind you that it was a clause which we believed was demanded by the vast majority of the people of Wales, and as to the form of which we were certainly more open to the reception of Amendments than in regard to many other clauses in the Bill. But it was somewhat slightingly cast aside by your Lordships and you did not even attempt to amend it. What is the conclusion of the whole matter? All I can say is that this Bill, as your Lordships have amended it, tends not only to perpetuate, but in my judgment largely to extend, the dual system of council schools and voluntary schools upon which the country has, as we believe, spoken with a clear voice declaring that it means it, as far as possible, to come to an end. In altering this Bill as it came to the House, your Lordships have made our rules exceptions and our exceptions rules. Even in this form, in which it satisfies us so little, it does not seem entirely to satisfy at any rate some noble Lords opposite; I think that the noble Marquess (Lord Salisbury) stated that he did not really like it even as it is——

THE MARQUESS OF SALISBURY: Hear, hear!

THE EARL OF CREWE: Uninfluenced by the fact that the schools while retaining in many cases their purely denominational character are to receive a *solatium* in the form of rent, and that the local authority is to execute for them all their repairs. If the Bill as it stands does not entirely satisfy the noble Marquess opposite, it certainly does not satisfy in its present form those who desire that the grievances—the admitted grievances—placed on many people by the Act of 1902 should be remedied. As it came up here, in our opinion it went very far indeed to remedy those grievances; but the provisions on which we relied for that object have been most mercilessly dealt with by your Lordships.

On the credit side—I want to be strictly fair—I appreciate the assistance which we have received from the House in the matter of the delegation clause. That, I hope, has now at last reached a form in which it can be accepted by all parties, and I sincerely hope it will pass into law as it stands. I also appreciate the welcome which your Lordships extended to the provisions of the Bill which deal with medical inspection, and the provision of play centres and other forms of amusement for children.

But I cannot help saying, as my last word at present in relation to this Bill, that your Lordships are undertaking, in my view, a very grave responsibility in returning the Bill in this shape to the other House. I am quite aware that your Lordships in a kindred matter have shown yourselves thoroughly alive to the responsibility which rests upon this House. The noble Marquess the Leader of the Opposition, in his speech on the Trade Disputes Bill, stated his case with most admirable candour. That, he said, was a Bill on which he believed the country had spoken with no uncertain voice, and that, consequently, it would be an ill-chosen ground for a strategical attack upon that particular Bill. My Lords, what is there in the history of the late election to show that the country did not speak with quite as certain a voice on this question of education as it did on the question of the Taff Vale decision? Whatever your Lordships may say about this or that provision, I think nobody will be found in this House or outside of it who will have the hardihood to assert that the Bill which your Lordships are now going to send back to the House of Commons carries out the desire, the loudly expressed desire, of the country on this question of religious freedom in elementary education.

Now, my Lords, it is undoubtedly, I think, a safe prophecy to say that when this Bill returns from another place it will not return with complete acceptance of all the changes which your Lordships have made. But it does not seem to me that that fact need necessarily be fatal to the passing of the Bill. To revert to the quotation I used at an earlier stage, I shall not admit that Cæsar is dead until I am actually called upon to attend his funeral. I personally shall not attempt to disguise the regret I should feel if no Education Bill were to become law. Quite apart from this religious discussion with which we are racked, I cannot forget that there are other valuable provisions in the Bill. Neither can I shut my eyes to the great administrative difficulties that must necessarily exist if the law remains in the position in which it is at this moment.

In the present temper which exists in the country on this matter, I am not ashamed to say that I dread, from the administrative point of view, the result of no Education Bill passing this year. I am certainly not going to accuse noble Lords opposite of welcoming the difficulties under which political opponents may be placed if those difficulties involve the dislocation of a great public service, and the infliction very possibly of serious hardship on a great number of innocent individuals. I therefore, my Lords, respectfully urge that, during the interval for reflection which I suppose will now come upon us, your Lordships will consider and carefully weigh two things. If your Lordships will endeavour really to find out what it is that the country actually wants, and be guided in your treatment of this Bill accordingly, I do not fear the result; and, in the second place, I would ask your Lordships, in considering your own opinions, very carefully indeed to weigh in your own mind which of those opinions are really founded on principles which you cannot disavow, and which are founded on prejudices which some day you will be glad to have neglected.

Moved, "That this Bill do pass."—(*The Earl of Crewe.*)

THE DUKE OF NORFOLK: My Lords, I and those who share my religious feelings in this House have come to the conclusion, after very careful consideration, when the Question is put, "That this Bill do pass," to vote against it. We are a very small section in this House, and therefore it has not been without very great consideration that we have felt obliged to take the course we have decided upon. I wish to make it clear that that course is one which we do not invite your Lordships to follow if you do not share our view. But we feel that it would not be consonant with the dignity of your Lordships' House that we should take such a course without explaining what we feel on the matter.

I need not say that when this Bill was introduced it aroused throughout the Catholic body in the country a feeling of keen disappointment, indignation, and dismay. It appeared to us that the earnest self-sacrifice of years was to be swept away, and that all that we had done and that Catholic parents had done to provide the schools which they considered necessary for the religious upbringing of their children was to be put in the greatest jeopardy. There is only Clause 4 to look to as a harbour of refuge, the passage to which is impeded by quicksands, and the shelter of which, when obtained, will be of a doubtful character. As the Bill passed the House of Commons it met with a great manifestation of popular opposition on the part of Catholics throughout the country. It passed through the House of Commons, its severity tempered with kindly phrases and kindly promises; but when we turned to the clauses of the Bill we found that those promises had not been turned into legal enactments.

When the Bill came up to this House the Catholic peers—a small body, but a body representing for the moment tens of thousands of our poorest co-religionists, who are looking to us to defend the spiritual welfare of their children—had to consider whether we should move the rejection of the Bill, or whether it would be possible by the process of Amendment to bring the measure into such a shape that we would be able to accept it. We made it very clear that in endeavouring to amend the Bill we felt that we were entering upon a very hard and doubtful task, but we determined to take that risk and to do the best we could. Now the question remains for us to decide how far the process of Amendment has eradicated the dangers of the Bill. In our opinion that process has not eradicated those dangers, and, therefore, as I have said, we feel ourselves obliged to vote against the passing of the Bill.

We have quite recently had many manifestations that our co-religionists throughout the country are still, I will not say as dissatisfied as before, but still thoroughly dissatisfied and thoroughly mistrustful of the measure. Vast public meetings have been held in all parts of the country. The opinion of the Catholic body was expressed by a large and representative deputation which waited the other day upon the noble Marquess the Leader of the Opposition. We had speakers from the north of the Thames and from the south of the Thames; there were representatives from Newcastle, Yorkshire, and the Midlands; the Principality was represented by gentlemen from Cardiff, and the West of England by gentlemen from Bristol, and other parts of the country were also represented. Each of the speakers on that occasion declared in constitutional and respectful language, but in the most emphatic manner possible, that, while they appreciated what the House of Lords had done and had attempted to do, nevertheless they had not achieved the hard task of making this Bill one which Catholics could possibly accept. They dwelt especially on the fact that we had not secured the appointment of the teachers in our schools.

We were assured, at the outset of the debates in another place, that Clause 4 was to be made a reality, and that without Clause 4 the Bill would be an unjust one. We have watched anxiously to see that reality made sure. In this House we have done a great deal to make it so, but your Lordships were not able to support our claim except in a limited way, and certainly not to carry into effect that which Catholic Peers stated could alone satisfy the Catholic body throughout the country. The Catholic Education Council, a representative body of Catholic opinion, has passed unanimously a resolution stating that, while gratefully appreciating the stand made by the House of Lords on behalf of denominational education, they are still unable to accept this Bill as a settlement of the education question. We feel that while, as the noble Earl pointed out, we have made many rents in the mantle of Cæsar, Cæsar is not dead, and the noble Earl will not be able to attend his funeral.

We believe that the underlying mischief of this Bill still remains. We have planted Amendments, but we have planted them, I fear, in a noxious soil in which we cannot expect them to bear fruit. We are quite prepared to accept Clause 1 with certain safeguards and in a certain spirit, but I fear that from the interpretation put upon it on the Benches opposite it will be worked in a very different spirit. It has constantly happened that when Amendments have been moved the noble Earl opposite has said, "You are running counter to the spirit of the Bill." It is because that spirit is still there that we feel it a danger, and one that we cannot accept. We have had to give way on the question of the majority of parents in our schools having the privilege of obtaining or not obtaining Clause 4 concessions. It is clear to us that vast numbers of our children, for whom our co-religionists have struggled and toiled for years, will not be in a position to be brought up in the faith of their fathers. That is a position which we cannot accept. We claim for those children the same right as for every English child, that where possible the wishes of the parents shall be respected. For these and other reasons we have come to the conclusion that this Bill, even after the efforts to amend it, is one which we cannot accept, and we feel obliged to make that clear in the only constitutional way open to us—namely, by dividing the House when the Question is put. We have no wish to dictate to others who, thinking very much as we do, may not believe that that course of procedure is best calculated to attain the ends in view; but what we say is that we must make it clear for all time that the underlying principle of this Bill and the provisions which it contains, ameliorated though they have been by what has taken place in Committee, still remain in a form which the Catholic body are wholly unable to accept.

VISCOUNT HALIFAX: My Lords, I would ask the indulgence of the House for a few moments for much the same kind of reasons as those put forward by the noble Duke. It is true that the Amendments that have been carried by this side of the House have done something to make the facilities for definite religious teaching more secure than they were, but I am sure there is no one who feels the vital importance of preserving denominational schools and denominational teaching who does not regard the facilities professed to be accorded under Clauses 3 and 4 as insufficient and precarious. I might have spoken differently if the Amendment proposed by my noble friend Lord Balfour of Burleigh had been carried and the facilities under Clause 3 had been preserved for every day in the week, and if there had been securities under Clause 3 for the teachers in the majority of Church schools. But in view of what has passed, I repeat that the facilities which have been secured by the Amendments are insufficient and precarious.

The noble Earl the Lord President of the Council has just told us that this is a Bill for securing religious freedom. My Lords, this is not a Bill for securing religious freedom. It is a Bill for the establishment and endowment of undenominational religion. It is not a Bill that holds the balance even. It is a Bill that is unjust to the parent. It imposes a double burden on those who dislike undenominational teaching, for it rates them for that purpose and compels them, in addition, to defray the expense of such religious teaching as they desire. It denies the right of parents to determine the religious teaching to be given to their children, and it ignores all those principles of liberty of conscience and equal dealing between all classes which I had supposed to be one of the cardinal principles of noble Lords opposite.

Nor, my Lords, is this all. I am satisfied that the Bill will entail very great additional expense on the country. How great that additional expense will be I doubt if any one knows. And all to no purpose. For, instead of promoting education, it will but generate bitter religious strife and division where now there is peace and harmonious co-operation; and it is quite impossible that it can be a settlement of the question. If your Lordships think that I am speaking without book, and that I am exaggerating these difficulties, I would refer you to that very important letter which appeared in *The Times* on Monday last from Mr. Llewellyn Davies. Mr. Llewellyn Davies and I have very little in common, but on this point he has echoed very nearly everything I have said. This letter affords conclusive proof how entirely agreed in thus regarding the Bill are persons who profoundly differ on other matters, and I venture to think His Majesty's Government will make a very great mistake if they do not take account of such a great consensus of opinion.

That would be sufficient reason why I should vote against this Bill. But there remains a still more important reason. The future of this country, like the future of every other land, depends on the maintenance of a high moral and religious standard. It is the character of the individuals composing the nation that really signifies the motives that inspire them, their strength of will to choose the good and reject the evil. This high character is not to be formed, this strength cannot be imparted to the will, apart from religion. There are grave signs which may well make us anxious as to the moral future of this country. I will refer your Lordships to the words of Mr. Roosevelt, in his remarkable message to the American Congress, which are not without their application nearer home. I will not allude to some of the specific evils which President Roosevelt mentions; they are topics I would rather avoid. But, my Lords, how are those evils to be met? How are they to be combatted? Those evils which touch the very life of the nation can only be met by the strength of those religious convictions and of that definite religious instruction which are the direct antithesis of undenominational.

Has not that most distinguished Nonconformist divine, the greatest, perhaps, who has lived in our time, Dr. Dale, of Birmingham, left it on record that in his opinion nothing is so likely to bring about the destruction of whatever religious faith exists in England as undenominational teaching, which if genuine will ultimately leave men without a religion at all? I venture to say that with such a declaration before us and with our own experience we cannot run the risk which is involved in the principle on which this Bill is founded. For these and other reasons I cannot, consistently with my conscience, vote for this measure, and I shall never as long as I live give a vote with greater satisfaction than the vote which I shall record to-night against the passing of this Bill.

*THE LORD BISHOP OF LONDON: My Lords, I wish to say a few words from this bench, though I represent only myself. I am not even speaking for the most rev. Primate, whose absence we all regret, but I venture to think that the most rev. Primate would not disagree with what I am about to say. Though I speak only for myself I represent many thousands who are outside this House. I do not think your Lordships are aware of the immense number of petitions which have been presented from all parts of the country against the Bill. Before the summer adjournment 6,896 such petitions, containing over 800,000 signatures, were presented, and since then petitions containing 200,000 signatures have been handed in, so that I speak for at least a million of His Majesty's subjects. In addition there have been presented to Parliament petitions from 8,542 trustees of schools.

I have never in my time experienced such a wave of indignation throughout the whole of the Church of England as was evidenced when they found to their utter surprise that their schools were to be swept away by the first clause of the Bill. Many who voted Liberal at the last election are amongst the most indignant. I will admit, for the sake of argument, that there was a mandate for popular control, but I have yet to learn that popular control means necessarily the sweeping away of all denominational schools. We were ready for popular control, but not for that. Churchmen have been accustomed to the denominational system from their childhood, and they have been encouraged by Government after Government to erect denominational schools. The Church of England has spent an amount equal to £10,000 a week for ninety years on these schools. If any statesman went to Lancashire and said he had received a mandate to sweep away the schools, he would have little chance of being elected there. I went there the other day, a stranger, and received a perfect ovation. Why? Because I had walked with the Lancashire lads through London when they came up to demonstrate against this Bill.

When we looked to see what was to be given us for our schools we turned first to Clause 3. But the more we endeavoured to grasp the facilities to be given by that clause the more elusive they became. Until it was amended the clause did not even mention any time for the facilities—it might have been five minutes. We found, too, that our schools might not be taken over at all—might be left in the lurch. No teacher was to be allowed to teach religion. I know from long experience in great cities that the schools would be useless unless the teacher was allowed to teach. Then we turned to Clause 4, to try and get a little comfort, but the debates in your Lordship's House have unmasked that clause, although I am sure the noble Earl did not mean it to be a delusion. There was to have been a four-fifths majority; every one who did not vote was to count against us, and we were to be saddled with the obligation of finding places for all those who were in the minority. I venture to say not one Church of England school in a thousand would have survived those tests. We got, therefore, no consolation of any sort from Clause 4. Mr. Birrell at Bristol said that Clause 4 was meant chiefly for the Jews, Roman Catholics, and possibly some portion of those Anglicans who object to be called Protestants. Then what about the great mass of the moderate Churchmen of England who are to be advowedly left on one side by Clause 4?

Then again, we wished to see if another injustice was redressed; The Church of England has 1,000,000 children in council schools, and while there are 2,750,000 children in voluntary schools and 2,500,000 in council schools, there is a kind of rough justice which makes the situation tolerable, but the moment the Church schools are swept away, the injustice becomes intolerable, and yet the Bill, as originally drafted, made no attempt to remedy it. It was to remedy to some extent these injustices that your Lordships' time has been spent during the last five weeks; it has been a most difficult task, for nothing can really turn a Bill which is bad into a good Bill. Public control and no tests for teachers is one thing, but to imagine that public control means universal undenominationalism and that a test for a profession is the same thing as a qualification for a duty is quite another. I do not deny that your Lordships have done much to amend the Bill; but the appointment of the teacher is taken for the first time out of the hands of the managers. They have this great grievance, that they have lost the appointment of the teacher in these schools altogether. As the Bishop of Birmingham has said, a strict Baptist or a secularist might be appointed headmaster.

I could not vote for the Bill, but one thing has made it possible for me not to vote against it, and that is Lord Salisbury's Amendment to secure Church teaching for some at least of our million children in the council schools. That Amendment gives promise of a better state of things; it is the beginning of a principle which must prevail at last. Let not your Lordships think that we underrate the great truths common to Christendom, but what we cannot tolerate is that those truths should be trusted to men whom we are not allowed to ask a question as to whether they believe them or not, or that at least a million of our children should have no distinctive Church teaching. I shall not vote against the Bill, because it contains the principle to which I have referred, which I believe to be a sound one for the future settlement of the education question. But let there be no misapprehension. We of the Church of England distrust this Bill; we fear that even with the safeguards your Lordships have introduced it will lower the standard of Christian teaching in England, and if any attempt is made to do away with any of those safeguards we shall resist it to the utmost of our power.

*THE MARQUESS OF LANSDOWNE: My Lords, it has been my duty to intervene so frequently during the course of these discussions that I really feel I owe your Lordships an apology for once again addressing you on the subject. The question which requires our most immediate decision is, I think, whether we shall go into the lobby with the noble Duke behind me or not. I yield to no

Member of this House in my admiration for the part which the noble Duke has taken in these discussions, and I have been impressed, as I am sure many of your Lordships have been, by the weight and authority of the arguments which he has advanced. I am afraid that on this occasion he must not expect me to support him by my vote, and I will give my reasons in as few words as possible.

I will recall to your Lordships our debates on the Second Reading of this Bill. We on this side of the House said from the first that we regarded it as a bad and dangerous measure, and we gave it a Second Reading with the plain declaration that it was our intention in Committee to make very serious alterations in it. Noble Lords opposite cannot complain if our Amendments have been of a drastic character. We warned them in the plainest possible language that they would be of such a character. What has happened? Those Amendments have been in the main accepted by this House; and, that being so, I do not see how we who gave, as it were, a conditional support to the Second Reading of the Bill can now vote against it. Therefore we shall go into the lobby with noble Lords opposite when we come to a division. But, my Lords, I share the view of the noble Duke that this is a bad and dangerous measure. It has been to my mind faultily designed from the very outset, and I am afraid I share the fear which has been expressed that it may prove not to be a true settlement of this question, but rather the occasion of much heartburning, strife, and expense to the people of this country.

Complaint has been made of us by the noble Earl the Lord President that we have transformed the Bill. We did all we could to avoid the structural alteration of the Bill. If we had desired to substitute a Bill of our own we might easily have done so. We might have supported, for example, the Amendments of Lord Ampthill, who laid before the House a well-thought-out proposal for dealing with this question upon different lines. On the contrary, we endeavoured to follow the scheme of the Bill and to amend it clause by clause in such a way as seemed to us consonant with the demands of justice and fair play. The noble Earl says we have gone counter to the wish of the people of this country, and he says there was as distinct a mandate for this Bill as the mandate which was given for the amendment of the law with regard to trade disputes. I dispute that altogether.

I believe that so far as there was a mandate, the Bill as now amended complies with the conditions laid down by that mandate. What was demanded, I believe by the people of this country was that there should be public control over these schools. This Bill is founded upon public control. On the day when it comes into operation the whole of these schools will pass from the control of the managers to the control of popularly-elected bodies. That is genuine public control. It was also demanded that if there was denominational religious instruction such instruction should not be supplied at the public expense. Not one farthing of public money will under this Bill be spent on denominational teaching. Then there is the question of tests. What tests are there in the Bill, unless it be a test when you assign to a person the duty of giving a particular form of instruction to satisfy yourself that he is willing and competent to give it? These are what the noble Earl calls the crimes we have committed.

The noble Earl favoured us with an indictment containing a number of counts. Let me touch upon one or two of them. What was his indictment? That in Clause 1 we have inserted words requiring that a certain portion of the school hours shall be set apart for religious instruction. The noble Lords opposite divided against us upon that proposal, but I never heard a weaker criticism than that to which it was exposed. It was derided as savouring of a political manœuvre, but as to the justice of the proposal, as to the fact that it was based upon a universal desire that part of the school time should be so disposed of, that part of our argument was not in any way met by noble Lords opposite. Then the noble Earl referred to the second clause of the Bill, and he complained, not for the first time, that we have made that clause a mandatory instead of a permissive clause. Why did we do so? Because in our opinion when Parliament lays down certain conditions upon which it desires to insist, it follows that if those conditions are complied with it should not be left to any local body to deny the privileges or advantages which are promised by the very terms of the Bill to the persons who are able to fulfil those conditions. What would be the alternative? To leave all these matters to a species of local litigation, to be disputed first before the local education authorities, and then before the Board of Education. In our opinion, the less room there is left for this kind of wrangling the better it will be for the people of this country. I was glad to notice when we came to the third clause that the noble Earl gave us credit for one solitary aberration into the paths of virtue. I am very much obliged to him for that admission.

But he complained because we had stipulated that the attendance of the children at school during the time given to religious instruction should be compulsory. To my surprise he described that as a blow at freedom of conscience. Why is it a blow at the freedom of conscience of child or parent to say to him, "The school hours begin at such an hour, the child must be there at that hour? If you do not like the religious instruction with which the school day begins you need not attend." Where is the blow at freedom? Then the noble Earl spoke severely of the important Amendment introduced by my noble friend Lord Salisbury, but he did not mention the very careful reservations which accompanied that Amendment. He did not dwell upon the fact that under that Amendment a very full discretion indeed is given to the local education authority, and that they are invited to give these facilities in council schools only in cases where, in their opinion, it is practicable and convenient to do so.

I will not go into the numerous details of Clause 4. All we have done has been to get rid of restrictions, of limitations, which seemed to us fanciful and unreasonable, and to transform the clause into a shape consonant with the professions which accompanied that clause when it was explained by His His Majesty's Ministers in and out of Parliament. The noble Earl referred to my Amendment as being probably the most criminal of the many crimes we had committed, but let me again remind him that but for that Amendment a school always conducted on denominational lines, with a large preponderance of denominational children, a school where, perhaps half-a-dozen children of another religious creed had been admitted and received hospitality, where the arrangement was one agreeable and satisfactory to all concerned, where a change in the character of the school might have been as distasteful to the parents of the minority as of the majority—such a school would have had denied to it those extended facilities to which on the face of it the school would be entitled and have been abruptly deprived of its immemorial character.

With regard to the teachers what has been our object? We are deeply convinced that, unless you give to teachers that amount of liberty to teach which we claim for them, you will not only strike a very serious blow at the value of religious instruction, but that you will do a grievous wrong to the personal liberty of this great and important class, and that you will strike a blow also at the general efficiency of the teaching in the schools. Upon that point we have spoken strongly because we feel strongly. The only other count to which I need refer is the noble Lord's reference to our treatment of the Welsh Clause. It did not strike me that his accents in dealing with that part of the case denoted a very deep conviction. We remember the history of the Welsh Clause—the three shapes which it assumed in a few days, or a few hours, and how at the last moment it assumed or was about to assume still another shape when my noble friend Lord Cawdor came to the rescue and dispersed the remains of that untoward proposal.

The noble Earl has told us that our Amendments bulk large. He has told us that we have made this Bill into a denominational Bill. Is that quite consistent with the fact that the Roman Catholic Peers, and, I am afraid, a considerable number of Church of England Peers who feel strongly on these subjects, are going to divide against the Bill as one that falls altogether short of their requirements? We have endeavoured throughout these discussions to steer an even course between the extreme demands which may have been made from one side or the other. Occasionally, I am afraid, we have incurred the disfavour of both.

I will refer only to one other observation that fell from the noble Earl and it was one which I noted, and which I think your Lordships must have noted with considerable satisfaction. He told us that this was not the final act in the transactions attending the Bill. He intimated that our Amendments would receive further consideration, and that we might expect to see the return of the Bill to this House. I welcome that intimation, because it disposes of a rumour, to which I could never bring myself to attach credence, but which was believed, no doubt, by many people—I mean the rumour that His Majesty's Ministers would advise or permit the contemptuous rejection of the Amendments made by the House of Lords. I could never bring myself to believe that such a course would be encouraged by the noble Earl, and I rejoice to hear from him that that course is not likely to be adopted.

Let me say, speaking for myself alone, that, although I regard this as a bad Bill, I should as matters now stand regret its failure. I say that partly because, like the noble Earl, I recognise that it contains some useful provisions, and partly because, if there were to be no legislation at the present time, serious administrative difficulties might arise. Nor can I dismiss from my mind the very human feeling that we should all regret if so much pains—so much careful discussion and consideration of complicated provisions—should count entirely for naught. The Bill is now passing out of your Lordships' hands, and the noble Earl has counselled us to employ the interval between now and the time when it may come back to us in reflection. Let me suggest to him that reflection might with advantage also take place on the other side; and may I be permitted to say that if a settlement of this most difficult question is to be looked for, such a settlement can only be reached by mutual forbearance and mutual desire to see a just solution arrived at? I gather from what the noble Earl has told us to-night that we may look for such forbearance and such consideration from him and from those who act with him.

On Question, "That this Bill do pass," their Lordships divided:—Contents, 105; Not-Contents, 28.

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Hertford, M.
Lansdowne, M.
Salisbury, M.
Winchester, M.

Beauchamp, E.
Camperdown, E.
Carlisle, E.
Carrington, E.
Chichester, E.
Craven, E.
Darnley, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ducie, E.
Halsbury, E.
Hardwicke, E.
Harrowby, E.
Lonsdale, E.
Lucan, E.
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Morley, E.
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Vane, E. (*M. Londonderry.*)

Waldegrave, E.

Althorp, V. (*L. Chamberlain.*)
Churchill, V.
Cross, V.
Falkland, V.
Hardinge, V.
Hutchinson, V. (*E. Donoughmore.*)
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Wakefield, L. Bp.

Addington, L.
Allerton, L.
Armstrong, L.
Ashbourne, L.
Balfour, L.
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Faber, L.
Fairlie, L. (*E. Glasgow.*)
Fitzmaurice, L.
Forester, L.
Glantawe, L.
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Headley, L.
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Botreaux, L. (*E. Loudoun.*)
Braye, L.
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De Freyne, L.
Dormer, L.
Emly, L.

Fingall, L. (*E. Fingall.*)
Gage, L. (*V. Gage.*)
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Lovat, L.
North, L.
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Bill passed accordingly, and returned to the Commons.

TOWN TENANTS (IRELAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD DENMAN: My Lords, in rising to introduce this Bill at what used once to be regarded as a late hour in your Lordships' House I think it will be for the general convenience that I should condense my remarks as far as possible; but as this is a measure of some importance, as it has been the subject of a considerable amount of criticism in another place, and as its passage through Parliament is being anxiously watched by the people of Ireland, I fear I shall have to trespass for a few minutes on the patience of the House. First of all, I will endeavour to deal with the principle of the Bill. I am happy in the belief that, whatever opinions may be entertained in different quarters of the House in regard to this measure, no Member of the House, in whatever quarter he sits, can possibly take exception to its principle, because that principle is so eminently just and fair. It is that a tenant at the expiration of his lease or tenancy shall be entitled to receive from the landlord compensation for certain improvements which he shall have made to the holding. That it is an eminently just and fair principle I may cite as authorities such distinguished statesmen and politicians in another place as the ex-Premier, Mr. A. J. Balfour, the late Chief Secretary for Ireland, Mr. Walter Long, and also Sir Edward Carson, who have all expressed their approval of the principle of the Bill. But although the principle is so eminently just and reasonable it is nevertheless obvious that it must be applied with many safeguards and conditions, and in this Bill it is most carefully safeguarded and conditioned.

I would call your Lordships' attention to Clause 1, which states that no improvements shall be entertained except those which at the date of the claim add to the letting value of the holding, are suitable to the character of the holding, and have not diminished the letting value of any other property of the same landlord. There are many further safeguards in the Bill to which it would be more convenient not to call attention to-night.

It has been said in some quarters that the effect of this Bill will be more generally felt in the big towns of Ireland, such as Dublin and Belfast, but the Government hope that its provisions will apply equally or to an even greater extent to the smaller towns and county towns of the country where the community is, on the whole, poorer. I think it is obvious that as the law stands at present, in this respect at all events, it bears more hardly upon the poorer than upon the better-to-do classes of the community. Let me take as an instance a rich man, say a Member of this House, who takes a house for a term of, say, twenty years. At the end of five years he desires to make some addition, say, a billiard room, to the house. He approaches the landlord and asks him to bear the whole or part of the cost, but the landlord declines. The tenant considers whether it is worth his while, seeing that the lease has fifteen years still to run, to make the improvement, and he decides that it is. Accordingly he adds the billiard room or whatever it may be, and spends possibly £1,000 or £2,000. At the end of the tenancy the landlord steps in and reaps the whole or practically the whole of the benefit of that improvement. That seems to me to be a hardship, but not perhaps a very great hardship in this case, because the tenant is probably well able to afford the money, and in the case of a rich man the improvement would generally be made for his own pleasure or convenience. But take the case of a poor man, say a clerk with £150 a year, living in a town. He rents a house of the value of £30 a year, and desires to make some improvements—say to add a bathroom, or to put a bath in the house. I hope your Lordships will agree that a bath is a very desirable accessory in any house. The clerk approaches his landlord, who, having heard that his tenant has a fondness for bathing and would probably put in the bath in any case, refuses to help him in any way, and the tenant has to spend £15 or £20 in making the improvement. I submit that in such a case there is a very great hardship, especially as when it is a poor man it is frequently the case that he is only trying to provide a very modest measure of comfort for himself or his family. As a matter of fact, it may be vitally necessary for the tenant to make some improvement in the house, because I understand that under the law as it stands at present, the landlord of an unfurnished house is not obliged to see even that the house is in a habitable condition.

If your Lordships will allow me I will glance rapidly through the provisions of the Bill. Clause 1 applies to existing tenancies, and therefore, in this respect at all events, it is retrospective. The retrospective action of the Bill has been subjected to considerable criticism in another place, and I anticipate it will be somewhat keenly disputed in your Lordships' House on a later stage of the Bill. I think, however, it will be for the convenience of the House if I do not stop to go into details now, but proceed to the other clauses. Practically the remainder of Clause 1 and the whole of Clause 2 provide other safeguards for the landlord. Clause 3 provides for notice being given to the landlord, and Clause 4 deals with the special case of the mesne landlord. Now I come to Clause 5 which introduces the principle of compensation for disturbance. That is no new principle in Acts of Parliament, more especially in Irish Acts. I would point out, however, that in this Bill it is carefully limited to shops and business premises. The reason for the presence of the clause in this Bill, which I think is a very good one, is this. A man establishes a business in a certain locality, and by his own industry and enterprise creates what is known as the goodwill of the business. The goodwill of a business is a somewhat intangible and indefinable class of property, but nevertheless it is an asset which can be and is bought and sold in the open market. If you turn a man out of his shop or business premises, not only do you cause him the inconvenience which any tenant suffers on removal, but you very likely deprive him of that valuable asset the goodwill of his business, and in so doing you may ruin him. In a country like Ireland, where it is not unknown for people to be evicted on account of their political convictions, you have a very distinct grievance, and one which it is hoped to remedy by this particular clause. Without dealing with the question further at this stage, I may mention that it is the intention of the Government that the raising of rent shall not in itself be considered unreasonable action on the part of a landlord, and if the Bill proves to be not sufficiently clear in this respect the Government will be prepared to accept or to move Amendments which will make it perfectly clear. Clauses 6, 7, and 8 make further provision to protect the interests of the landlord, and in touching Clause 9, which prohibits contracting-out under the Bill, I will only say that the prohibition exists in a reasonable form, since the clause enables the Court to give effect to a contract if they are of opinion that it was reasonable and was entered into without direct or indirect compulsion. That concludes my survey of the Bill.

The advantages of this measure, in my opinion, are that it remedies a distinct class of grievance where a tenant is unable to obtain compensation from his landlord for improvements, and it prevents a landlord from evicting a tenant from a shop or other business premises, and thereby depriving him of the goodwill of his business, without paying some compensation for so doing. We hope that the Bill may, in some degree, contribute to the cause of law and order and good government in Ireland, because it has not been unknown that where a landlord has sought to evict a tenant and the tenant has thought himself to be in the right, he and his friends have barricaded themselves in the house, the police have thereupon had to lay siege to the building, the population have taken sides—not invariably with the police—and a very pretty fight has resulted. Then, too, it is hoped that the Bill will generally improve the condition of town property in Ireland. It is obvious that if a tenant feels himself secure in that he will receive compensation from his landlord for the improvements he may make, it would tend to the general improvement of town property, and improvements will be made which otherwise would not be carried out.

Before I resume my seat I should like to say one word with regard to Irish landlords, who, I am well aware, can, if they choose, command such a numerous following in this House. I am fully aware of the subordinate position which I occupy in merely enunciating the Irish policy of the Government in this House, and that my own opinions can carry very little weight, but I shall not attempt to deny that in my view this Bill is more to the interest of the tenants than of the landlords. I hope I may say without offence that I can realise to some extent the difficulties of the position in which they are placed, but I believe that bad landlords—and I am afraid I cannot share the optimism of my noble friend, the President of the Board of Agriculture, with regard to the scarcity of bad landlords—will be under this Bill either compelled to do certain things which they ought to do, or prevented from doing certain things which they ought not to do. In the case of good landlords, however, though I pretend to no intimate acquaintance with the conditions of life in Ireland, I have reason to believe that the Irish Peers include in their number some of the best landlords to be found in the United Kingdom—in the case of good landlords this Bill will really make very little material difference. I will only add, in conclusion, that I hope this Bill, the principle of which is so eminently just and fair, and has been so carefully safeguarded and conditioned—a Bill which is greatly needed and has been asked for by the great majority of the Irish people—will not only pass its Second Reading, but will go through its subsequent stages without very material alteration from the shape in which it has reached us from another place. I beg to move.

Moved, "That the Bill be now read 2ª."—(*Lord Denman.*)

LORD ORANMORE AND BROWNE: My Lords, I think we owe a debt of gratitude to His Majesty's Government for the change of mental pabulum with which they have provided us within the last three days. Perhaps they thought that your Lordships were somewhat exhausted after the long and tedious debates on one of the most complex measures ever presented to your Lordships' House, and that a quick-change variety entertainment might be an agreeable novelty. At any rate, we had an opportunity of considering, on Tuesday, the Trade Disputes Bill, yesterday the Land Tenure Bill, and to-day, after completing the last stage of the Bill by which the Radical Party hope to capture the vast majority of the children of this country for the vague and somewhat nebulous religion termed undenominationalism, your Lordships are invited to consider another contentious measure with regard to Ireland. But, my Lords, there is perhaps another reason why we have been considering so many Bills, and that is that the various sections which together constitute the majority in another place are each desirous that some sop should be given to them before the close of the session, and in this particular case it is hardly necessary to say that the sop is intended for the Irish Nationalist Party. It may seem almost unreasonable on their part, considering the sumptuous banquet to which it is understood they are to be treated next year, that they should not have been content to exercise a little abstinence on the present occasion.

This Bill seems to proceed on the lines which generally commend themselves to Radical Governments with regard to Ireland, the lines which commended themselves to the gentleman who was so touched by a charity sermon that he abstracted a sovereign from his neighbour's pocket for the purpose of putting it in the plate. The Bill purports to be one to prevent Irish landlords from confiscating at the expiration of a lease the improvements made by their tenants. I will not say that that pre-supposes that Irish landlords are knaves, but it certainly pre-supposes that Irish tenants are fools, and I think that noble Lords will agree that that has not been our experience of tenants in Ireland. We have found them very shrewd men, eminently able to look after their own business, and as ready to drive a hard bargain as any other section of His Majesty's subjects. If that is so, I submit that when a man takes a plot of ground for building purposes, he considers beforehand what rent he can give, with the full knowledge that when his contract comes to an end the house which he has built will pass from his possession. If a tenant makes improvements in the course of the lease, his natural course in the first place is to apply to the landlord, and my experience is that, if the improvement is a suitable one, in ninety-nine cases out of 100 the landlord will contribute towards the cost. But even if that should not be so, I presume that the improvements are made for the purpose of profit, and the tenant is quite capable of calculating whether out of the profit which he thinks he will make he can lay aside sufficient for a sinking fund to recoup him at the end of the lease the expenditure he has incurred.

Now, my Lords, in another place and in the public Press, the chief charges against Irish landlords have been three; in the first place, that they demand fines for the renewal of a tenancy; secondly, that they demand an increased rent, and, thirdly, that the terms for which they grant leases are exceptionally short. I should like to ask whether Ireland is the only place where these things occur. Have your Lordships never heard of fines being asked for the renewal of the lease of a house in London? Is it not a very common thing when a lease is renewed for an increased rent to be asked? And as to the question of short leases, there may be much to be said against them, but I should like to mention a case which happened to me only two days ago. I was inquiring about a house on one of the largest properties in London, and was told that a new lease had just been granted from April last for twenty-seven years. I think this is shorter than is given in almost any place in Ireland, and I would mention that when short leases are given in Ireland it is nearly always in cases of renewals and not of original leases.

Though I think there is a great deal that is bad in this Bill I do not intend to ask your Lordships to refuse it a Second Reading, because I am sorry to say that the principle of freedom of contract has been so often interfered with by legislation that I think it would be vain for your Lordships to try to affirm it in the present instance. But if the Bill passes its Second Reading, I think it is quite evident that it will require to be radically amended in Committee. I do not intend to detain your Lordships by suggesting all the Amendments which would be necessary, but I think anybody who reads the Bill carefully will see that it is absolutely impossible that it should remain retrospective. In Clause 3 there are a number of most stringent conditions to be observed before the tenant can take advantage at the close of his lease of the advantages offered by the Bill. Then in Clause 14 the landlord as well as the tenant is able to require that any improvements which may have been made in the course of the lease shall be registered. Now, my Lords, it is quite evident that neither the conditions of Clause 3 nor those of Clause 14 have been fulfilled in the case of existing leases. Therefore I feel sure that I may appeal even to noble Lords on the Government side to see how eminently unfair it would be that existing leases without any of these safeguards should be included in the same category as leases made after both sides are prepared. Another point, not so contentious, but still deserving of the attention of His Majesty's Government, is in regard to Clause 8 dealing with temporary lettings. I believe His Majesty's Government intend to exclude temporary lettings from the Bill, but it seems to me that the clause they have designed for that purpose will not have the desired effect. As far as I can make out, it will not exclude country houses from the operation of the Bill. I will give an instance. Supposing anyone were to take a hunting box in Meath, and, desiring to build new stables to it, applied to the Court. The Court might consider that new stables were a most excellent thing for a hunting box in Meath and would tend to improve the value of the country residence, and consequently with the consent of the Court the tenant might erect the stables, and the landlord at the expiration of the lease would have to pay compensation. But perhaps the landlord would wish to re-occupy the place at the end of the lease, and he might not be a hunting man. On the other hand, though the improvement might have increased the letting value of the house, we all know that it is not very easy to let country places, and the landlord might be at the expense of keeping up those buildings for a considerable time before he found another tenant.

Clause 5, dealing with compensation for disturbance, is the most contentious clause in the whole Bill. As other noble Lords wish to take part in the debate I will not detain the House by giving my own views on the subject, but with your Lordships' permission I will give the views of His Majesty's Government. So recently as the 18th of May the Attorney-General for Ireland, Mr. Cherry, said—

> "The other provisions of the Bill as regarded the compensation for disturbance and right of purchase were on a different footing, and he could not on behalf of the Government approve of the principle of compensation for disturbance or of compulsory purchase being applied at the present time to town holdings."

The Chief Secretary for Ireland, Mr. Bryce, speaking on the same occasion said—

> "The second part of the Bill was Clause 5, which provided for compensation for disturbance and this, he confessed, appeared to be entirely unworkable. . . . He entirely dissociated himself from any approval on the part of the Government of the principle of fixing fair rents or compensation for disturbance as proposed in the Bill."

I do not think we can find a stronger condemnation of the clause than is contained in those two quotations, and I shall content myself with submitting them to your Lordships.

THE EARL OF ARRAN: The consideration of this measure by your Lordships would be as welcome if it was to secure the amelioration of the lot of any class of His Majesty's subjects in Ireland as it would be in the case of any other part of the United Kingdom. But I would remind your Lordships that the Bill brings in a great innovation as regards the rights of urban property in Ireland, and not only in Ireland but, since the tenure of Irish property is the same as in England, it involves an invasion of the whole principle of the tenure of urban property all over the United Kingdom. The details of the Bill are no doubt familiar to your Lordships, and therefore I will not dwell upon them further than to point out that under the Bill as it stands there is a possibility of the confiscation of property which is now secured to a landlord by a previous contract. The terms of urban leaseholds are practically the same all over the United Kingdom. Whether the house stands in Bond Street or in some small village in the West of Ireland, the terms are practically the same. The owner of the land lets a site to another man on certain terms for a certain number of years, and it is for the lessee to determine whether under the circumstances and conditions of the lease it will pay him to do what he desires, and he will improve or build upon the property knowing full well that at the expiration of the lease it will revert the landlord. Such has until now unquestionably been the rule with regard to the tenure of urban property all over the United Kingdom.

But, my Lords, this Bill, owing to its retrospective character, tears up existing contracts concerning urban leaseholds, and although I have listened to every argument and carefully studied the reports of the debates on the subject, I cannot see that any justification has been brought forward for the introduction of so sweeping a measure. As far as I can see, the only argument brought forward to justify the introduction of the Bill is that a precedent has been set by previous Land Acts, and this argument has been adduced also to counteract the natural fears of those who hold urban property in England lest similar legislation should follow applicable to this country. I will only repeat the answer, which, although made many times before, nevertheless remains true, that the system of tenure of agrarian land in Ireland is entirely different from that which obtains in the remainder of the United Kingdom, whereas the system of tenure of urban property in Ireland is practically and materially the same as that which exists in England. That argument has never yet been refuted. That being so, I fail entirely to see why Irish urban property should be treated differently from English urban property, or, should the retrospective conditions of this Bill become law, why later on English urban property should be treated differently from Irish urban property.

There is another objection to the Bill which I am glad to hear His Majesty's Government will probably remove. As the Bill now stands it introduces a system of dual ownership. I believe the great majority of the country are agreed as to the pernicious effects of dual ownership in land or anything else. In order to remove such a pernicious system the Land Act of 1903, which involved £120,000,000 of public money, was introduced as a means of making the best of a very bad job. I understand that His Majesty's Government have no intention of allowing this system to creep in, but I most earnestly hope that their Amendments will be such as to remove all possibility of it, lest it be said that the road to dual ownership is paved with the good intentions of His Majesty's Government. Clause 5 as it stands says—

> "Where the landlord . . . unreasonably and without due and sufficient cause requires more onerous conditions as terms of such renewal. . ."

Under the circumstances those words would mean that the Court was to decide whether the terms are more onerous; that would mean that the Court must decide what rent ought to be asked; and that involves the fixing of a fair rent. Should a landlord be unwilling or unable to pay compensation for disturbance, the tenant could go on for ever in his holding, which means fixity of tenure. Fixity of tenure and the fixing of fair rents are two of the three great conditions of dual ownership, and as the Bill now stands those two conditions are a part of it.

Another and a greater objection to the Bill—greater than those practical objections to which I have referred—is the moral objection. Though a great deal may be said in favour of the Bill as far as it regards future agreements, in its retrospective character it would do great moral harm to Ireland. The Land Acts which have been so often referred to have, owing to their retrospective character, caused to arise in Ireland the feeling that no contract need be abided by and no bargain adhered to. In consequence, the further feeling has arisen that if only sufficient agitation were raised it would be successful, and consequently that ordinary success in life does not depend upon individual energy and effort, but merely upon the amount of agitation which can be raised. As a fruit of such a belief we have to look back upon some of the most gloomy events of past gloomy years. I would further point out that this Bill being retrospective destroys the financial credit of the Irish nation. It is almost universally agreed that one of the great reasons of Ireland's lack of prosperity is that so little capital is invested in the country. With such object lessons as is afforded by the retrospective character of this Bill, how can you expect any man to invest his money in Ireland? If the Bill is to do good to any section of His Majesty's subjects in Ireland it will be welcomed by the whole of the Irish people. But I believe it ought to be amended in respect of its retrospective character, because if it is not so amended the injury that it will do to one class of Irish subjects is far surpassed by the moral harm which it will do to the whole of the Irish nation.

LORD ASHBOURNE: My Lords, this Bill has led to an interesting and well-informed discussion upon a subject which has naturally attracted a good deal of attention. Lord Denman, in a speech of great clearness and conciseness, has stated the grounds on which His Majesty's Government have deemed it right to adopt this Bill, which certainly has passed through considerable vicissitudes since its first introduction, although it still retains its curious name. It is called the "Town Tenants (Ireland) Bill," and the only thing absolutely clear is that it is not confined to towns or urban districts in the slightest degree. In fact, the word "town" cannot be found anywhere in the Bill except in the title. I do not say that it is not entitled to be there, as a certain amount of freshness is expected in an Irish Bill. The Bill was introduced by a private Member, and, in regard to some of its clauses which were severely criticised in the Standing Committee by the Chief Secretary and the Attorney-General for Ireland, it has assumed a somewhat different form, and now, having passed through the House of Commons, it is in a state not at all the same as that in which it was originally introduced. It is quite evident, however, from the speeches of the noble Lords on the cross benches, that it is still open to grave and serious criticism.

The noble Lord who moved the Second Reading said the Bill was intended to help good tenants, and to prevent bad landlords doing any harm. That is a very nice and agreeable phrase. There are in Ireland a great many excellent people, not confined to tenants; their is an occasional good landlord to be found. I do not say the landlords are all good. I would not suggest that of them any more than of any other class. You must take human nature as it is on the average, and I think that if Irish landlords are judged by any ordinary test they will come out of the ordeal as satisfactorily as the landlords of any other country. I remember Mr. Gladstone saying, in some of his speeches on the agrarian question in Ireland, that the landlords had been submitted to the ordeal and had stood the test. Commissions were appointed with a view to founding land legislation, and according to Mr. Gladstone the landlords came out of the ordeal well. After the grave years through which they have passed, and the many trials they have had to face, I hold that any fair statesman must admit that, whatever may be the needs for fresh legislation in Ireland, whether in relation to land or in relation to houses the Irish landlords can compare well with the landlords of England, Scotland, Wales, or any other part of the world. But, my Lords, that is no reason why, if improvements can be suggested which may benefit the tenants without inflicting injustice on others, they should not be considered fairly and dealt with. No one has suggested that anything good in this Bill should not be dealt with justly, and my noble friends on the cross benches have not proposed that the Bill should be refused a Second Reading, but that it should be examined in detail in Committee.

Reference has been made to the retrospective character of the Bill, and upon that my noble friends have founded the statement that although it might be quite reasonable to think out the problem now of what would be a wise and reasonable amendment of the law in reference to future tenants, it is not fair or reasonable to apply *ex post facto* legislation to people who became tenants years ago under entirely different impressions as to what the law was. It is not fair to spring upon old tenancies perfectly new conditions, and the proposal will require careful examination in Committee. As a result of the changes made in Standing Committee and on Report in another place many precautions have been inserted even with regard to future tenants, indicating that it would not be reasonable for future tenants to be able to make these claims without ample notice to the landlord, and surely it would be out of the question side by side with these precautions in the case of future tenants to say *ex post facto* that all existing tenants should have a claim against their landlord without any notice whatever having been given to him on the subject.

Another matter to which reference has been made, and which will obviously require much consideration, is whether the proposal to give compensation for disturbance, no matter what words are inserted, is not unreasonable, and how for it is capable of being fairly applied to houses. This is not a question of land, nor is it limited to towns. It applies to any houses in any part of Ireland. It might be the handsomest square in Dublin or the richest part of Belfast, or it might be some poor struggling village, or a district where the house was not near a hamlet or village of any kind. Therefore, it is obviously of first class importance to see what kind of a case is made out for such an application of the doctrine of compensation for disturbance, which has hitherto been confined to country districts.

Without going into detail, I may say there are other clauses which also require more than verbal consideration. Contracting out is obviously a matter of importance. I do not say that poor people who may be subjected to injustice through not being able to understand the contracts may not require the protection of being prohibited from contracting out; but in all the Land Acts for which Mr. Gladstone was responsible it was recoginsed that there was a point beyond which it was absurd to say that a person of means and wealth should not be allowed to contract out. The proposal applies to people with the largest houses in Dublin and the possessors of the great emporiums of wealth in the north, and is it not ludicrous to say that such people should be protected by not being allowed to contract out?

As to the tribunal selected, it does not commend itself to me as one familiar with these matters. I do not object at all to the county court, but I think an appeal to the Court of Appeal in Ireland is quite out of place. That is the highest Court in the country; it is composed of the Lord Chancellor and two other Judges, and some considerable expense is necessarily involved in going before it. I will not discuss the point now, but it would be infinitely wiser, in my view, to enable appeals to be taken to the Court of King's Bench, where they could be settled by a Common Law Judge regulating the matter by rule, and thus provide a cheaper method of appeal.

Other matters have been referred to, but I do not think it necessary to discuss them now. I do not suggest that the Bill should be refused a Second Reading. I am prepared to consider fairly any proposals for the improvement of the condition of the tenants, but I think that end should be secured without bringing in all these matters which can be so hardly defended and are so open to attack. Therefore, although the noble Lord in moving the Second Reading expressed a not very confident hope that the Bill would pass through your Lordships' House without any very material Amendment, I cannot hold out any expectation that his hope is likely to be realised.

*THE EARL OF DUNRAVEN: My Lords, after the speeches to which we have listened I take it for granted that this Bill will be read a second time, though I gather from my noble friends on the cross benches that they do not see any merit whatever in it, and if their speeches were carried to their logical conclusion they should have wound up with a Motion to read the Bill a second time on this day six months. But we are getting tolerably accustomed in this House to objecting to measures root and branch, and then placidly reading them a second time, and proceeding to alter them substantially in Committee. In my opinion, the Bill contains some matters of considerable merit. My noble friends have directed their criticisms mainly to the effect the Bill will have on building leases, but as I read the Bill it does not interfere with an ordinary building lease, that is to say, a plot of land let on lease for a certain rent in consideration of certain buildings or premises being erected upon it. What the Bill mainly affects are the ordinary yearly tenancies in the small towns and villages throughout the country. I think the provisions as regards improvements are likely to be beneficial; at any rate, it cannot be said that they will inflict any great hardship or injustice upon the owners of such property. If a tenant wishes to make an improvement he will have to do what in the ordinary course he does now; he will go to the landlord and ask him to make the improvement. If the landlord does so, the Bill provides that he shall charge interest and sinking fund for the repayment of the expenditure. If the landlord refuses to carry out the improvement, and, the tenant having expressed his willingness to do the work himself, declines to allow the tenant to do so, the tenant can appeal to the county court Judge, who, if he is satisfied that the improvement is a suitable one and likely to be beneficial to the property, and that the landlord's objections are unreasonable, may empower the tenant to make the improvement, and in that case the tenant would be entitled to compensation on the expiration of his tenancy.

As to the clause giving compensation for disturbance, to which much objection has been taken, your Lordships must remember that without compensation for disturbance the whole of the former part of the Bill would be useless. There is no question of fixation of rents or of fixity of tenure. Unless some such protection for the tenant is inserted, what would happen? The landlord would refuse to make an improvement and decline to allow the tenant to do it himself. If the tenant got permission from the county court Judge the whole proceedings could be rendered nugatory by the landlord's putting a prohibitory rent on the holding. So that in the absence of fixity of tenure and the fixing of fair rents there is absolutely no protection whatever for the tenant, and all the earlier clauses of the Bill might as well be wiped out at once if compensationfor disturbance is eliminated. Under these circumstances merely obtaining recoupment of the capital expended is not sufficient protection to the tenant, because, if he has laid out his money in improvements he can be turned out at the end of the year by a prohibitory rent being placed on the holding and lose his business, good-will and all. Therefore, if you are going to strike out this provision for compensation for disturbance, and, at the same time, not going to insert what I hope will not be inserted, namely, any provisions for fixing rents or giving fixity of tenure, your Lordships may as well cut out the earlier part of the Bill altogether.

It is said, and I think with truth, that there is not the same difference between the tenure of town property in England and Ireland respectively as exists in the case of agricultural property. Intrinsically, as far as I know, there is no difference between the system of town property in England and in Ireland, but during the last twenty-five or thirty years a considerable difference has arisen. There has been Act after Act interfering with the right of the owner of land to do what he pleases with his property so far as agricultural land is concerned. This Bill deals largely with yearly tenancies in towns and villages throughout the country where there is really no gap or gulf between the condition of the town tenant and that of the agricultural tenant near him. It is impossible that the fact that for years the rights of a landowner in regard to agricultural land have been restricted should not have affected the minds of the small holders in villages and small towns. Therefore, although by nature there is no difference between the tenure of town property in Great Britain and in Ireland, the result of the legislation of the last twenty-five or thirty years has been such as to constitute a difference which I think ought to be taken into consideration.

Another point to be remembered is that there is not the same confidence as between man and man between landlord and tenant in Ireland as in Great Britain. There is more friction. It cannot be denied that the relations between landlord and tenant in Ireland are more strained than in Great Britain. I do not say who is to blame for it, but the fact remains that relations have been and are a little strained, and there is not the same confidence that landlords will be absolutely reasonable in the exercise of their rights. I dislike the constant allusions to "good" and "bad" landlords. I do not see what on earth ethics have to do with the matter. I prefer to say that one man reasonably and another man unreasonably exercises his legal rights, and I think it would be distinctly to the advantage of the majority of landlords, who exercise their legal rights reasonably, that some restraint should be put upon the possibility of other landlords exercising their rights unreasonably.

Another consideration is that many of the owners of these small urban properties are not in a position financially to do much for the betterment of their property, and it would be an enormous advantage if the tenants were encouraged to lay out their capital for that purpose. The great want of Ireland is that capital should be invested in the country, and if the tenant is willing to do so where the landlord is unable to lay out capital on the improvement of the property, it would be greatly to the advantage of the whole community that he should be encouraged in that direction. I will not go into the matter raised by the noble and learned Lord. There may be many matters of detail in regard to which improvements may be effected in Committee. On its general principle I believe the Bill will be an advantage not only to the tenants, but to the landlords also. I do not agree with the noble Lord opposite (Lord Denman) that it will be much more to the advantage of the tenant than of the landlord. My own opinion is that it will be greatly to the advantage of the landlord. We all know that there are a few cases where landlords have exercised their rights in a way which every member of your Lordships' House would consider unreasonable, and those few isolated cases make it extremely difficult for the great majority of landlords to conduct their business in the way they would wish to do.

The Bill does, of course, interfere to a certain extent with liberty of contract, with the right of a man to do exactly what he pleases with his own. But that commenced thirty years ago, and it is hardly worth while troubling the House now with an academic discussion as to whether or not it is advisable in any way to restrain a man in the exercises of his legal rights. This Bill certainly interferes very little with the rights of landlords, and my noble friends from Ireland will agree that it contains nothing which can interfere in any way with the right of a landlord to conduct his affairs in a reasonable, fair, and business-like way, while if it does interfere in some cases to prevent a man exercising his legal rights in an unreasonable way I think that curtailment will be to the advantage not only of the tenants, but of the landlords and of the whole community.

VISCOUNT RIDLEY: My Lords, if I venture as an Englishman to intrude in the discussion upon an Irish Bill, it is because I have waited in vain until the speech to which we have just listened for any reason for applying this Bill to Ireland and not to any other part of the United Kingdom Although I have studied previous debates upon this Bill, I have not discovered any attempt to make out that the law or the customs with regard to town tenancies in Ireland were different from those in England or Scotland. The noble Earl Lord Dunraven has made out some difference as regards agricultural tenancies in Ireland as compared with the rest of the United Kingdom, but because agricultural tenancies are on an admittedly different footing and have been legislated for in a different way from the rest of the United Kingdom, is that a reason why we should proceed without any reason whatever to legislate for town tenancies in Ireland on a different foooting also? And as has been point d out, although the Bill professes to deal with town tenancies, except in the title it makes no distinction between town tenancies and house property throughout the whole of Ireland.

The fact is, my Lords, the Government are attempting to make a new precedent of State interference in contracts for town tenancies, and they are doing it by means of a Bill brought in by a private Member. After all, this is only another of the adopted children of the Government, adopted, if I may say so, without the usual reason for adoption, namely, the absence of children. I should have thought they had plenty of Bills of their own without their adopting and presenting to the House in its present undigested form this somewhat unnecessary and ill-drafted measure. Similar Bills have been rejected by Government after Government, no matter what their views may have been on other politics, and the proposal to give compensation for disturbance has been opposed by successive

Chief Secretaries, including the present occupant of the office. Not only has the Bill gone through that experience, but every one of its main provisions has been thoroughly examined by the Select Committee on Town Tenancies, appointed in 1889 by a Liberal Government, and condemned root and branch. In the face of these facts, we are asked at the end of the session to make a complete revolution in the system of contracts for town tenancies, That, surely, is a large order.

The noble Earl, Lord Dunraven, hinted that the Bill had not so wide an application as some thought, and that it did not extend to the ordinary system of building leases. I am not a lawyer, but I have consulted one upon that point, and I am assured that every class of house property, including that to which the noble Earl referred, would come under the Bill. The clauses to which I chiefly take exception are of great importance. The clause providing for compensation for disturbance gives a permanent proprietary interest in this particular class of property to a temporary tenant. I fail to see why a man who borrows money from another man should not, on the same principles, be given a permanent proprietary interest in the money. Can anybody seriously suggest that if any noble Lord borrowed money from a gentleman willing to oblige him, there should be compensation for disturbance when the contract comes to an end? There is really no difference between the two cases that I can see. Then with regard to compensation for improvements: supposing one of your Lordships hired a yacht, a motor-car, or a house-boat, and in the course of the term for which it was hired made certain improvements; should he be compensated for those improvements? If not, what difference is there? I say that there is no difference, and that this Bill is brought in, dealing with this particular class of house property, without any justification whatever in reason or in fact.

This is really an Irish question, but I cannot understand from an Irish point of view how its promoters can regard the Bill as likely to be beneficial to their country. In dealing with a particular class of property in connection with which cheap capital is so important, it cannot be wise to pass a measure which is bound to make capital more expensive. Irish land is already excluded from trust investments, and you are now asked to pass a Bill which will have the effect of putting Irish town property in a similar position. A considerable amount of house property is built by the aid of mortgage, and this Bill will certainly make mortgagees advance less money on a house or charge a higher rate of interest, thereby making Ireland less prosperous by reason of the fact that there will be less opportunity of building houses and less attraction for investing capital. As the prosperity of Irishmen in America is often contrasted with the comparative poverty in Ireland, it may be pertinent to point out that under the Constitution of the United States the Courts of law would quash as contrary to the Constitution the interference with contracts proposed under this Bill. However, as I have said, this is an Irish Bill, and inasmuch as noble Lords from Ireland do not propose to divide the House against the Second Reading, I cannot take upon myself the responsibility of so doing, but I sincerely hope that noble Lords will carry out their promise of seeing that thorough and radical Amendments are introduced in Committee with a view to making the Bill a workable measure.

*THE MARQUESS OF LANSDOWNE: My Lords, my noble friend Viscount Ridley commented with much effect upon the manner in which His Majesty's Government have lately exercised what I suppose is the privilege of the Government of the day—I mean their right of adoption. Scarcely a week has passed without our being presented to some little stranger of this kind, which has been discovered no matter where, and of more or less obscure or doubtful origin. It is satisfactory to know that by the time they come before your Lordships, they are generally shorn of what I may describe as some of their aboriginal wildness, and I hope that this particular infant may, after it has passed through Committee, find itself in a form which will admit of its being duly qualified for a respectable place on the Statute Book. My noble friend, Lord Dunraven, recommended the measure to your Lordships upon the ground that it contains some excellent provisions. I was reminded while I listened to him of that historical curate who had stumbled upon an extremely doubtful egg at the Bishop's breakfast table, and who in reply to the Bishop said—" Parts of it, my lord, are excellent." My noble friend has found that parts of this particular measure are excellent. There, however, is no doubt that the measure does contain some provisions of an extremely unusual and far-reaching character. What has struck me with regard to some of the Bills which His Majesty's Government have lately brought before us has been that they propose great innovations, changes in the whole of our jurisprudence, changes affecting the social system of these Islands, but that Ministers do not seem to think it necessary to produce any solid backing of evidence to show that these changes are really called for by the circumstances of the country.

What have we been told this evening with regard to the grievance that is sought to be remedied by this Bill? We are told that there have been in Ireland cases of capricious eviction by town landlords. I think the noble Lord who moved the Second Reading told us there had been cases in which tenants have been evicted for political reasons. I should like to know a little more about those cases. I do not mean to say that if you search the whole country you may not find cases in which landlords have acted foolishly and inconsiderately. But is it the case that there are any considerable number of instances in which landlords have so acted? What I desire to protest against is the practice of making these great changes in the law of the land in order to catch out a mere handful of foolish and ill-advised individuals. I do not believe for one moment that by so doing you really bring much relief to those whom you desire to help. For one individual whom you are able to coerce by measures of this kind, there are dozens whom you render suspicious and reluctant, and who with the knowledge that they are threatened by such legislation will fail to deal with their tenants in the reasonable and considerate spirit, which they have formerly been in the habit of observing.

Then one word with regard to the provisions of the Bill. The Bill we understand is designed for the purpose of encouraging the improvement of town property in Ireland. But why, in order to encourage the improvement of town property in the future, is it necessary to bring in these retroactive provisions—provisions which will affect parties by whom these improvements were effected, or upon whose property they were effected, but who could have had no kind of anticipation that the law was to be modified in these important particulars? I come to what seems to me far the most important provision in the Bill, viz., Clause 5, under which the tenant is in certain cases to be entitled to compensation for disturbance. My noble friend Lord Arran, in a very convincing speech, demonstrated to the House that what this clause really means is that in the future we shall have the fixation of rents for town property, just as we now have fixation of rents for agricultural property in Ireland. I know that the Chief Secretary stated the other day that in his view the demand for an increase of rent did not constitute an onerous condition within the meaning of Section 5 of the Bill. That shows to my mind a complete misapprehension of the effect of this clause.

Then I come for one moment to the clause under which contracing out is forbidden. My noble friend made light of that, saying that we had left freedom of contract far behind in Ireland. So we have. But surely that observation shows how careful we ought to be in moving further in the direction in which these Acts affecting land in Ireland have taken us. I am no pedant on the subject of freedom of contract, I have always believed that we might well lay freedom of contract on one side when it was necessary to depart from it in order to insure the health or the safety of the public. We have at this moment an excellent Bill on the Table of your Lordships' House dealing with merchant shipping. That is an interference with freedom of contract, and I do not for one moment desire to question the wisdom of the provisions which it contains. But there is all the difference in the world between provisions of that kind and provisions which in effect say to two people who are perfectly able to make their own contracts, "You shall not make such contracts, and if you do, the law will over-ride them." Why should the landlord and the tenant of property in the suburbs of Dublin or in one of the great towns of Ireland not be allowed to make contracts excluding them from the operation of this Bill? It has been pertinently asked, Why are you to give exceptional treatment to Ireland in this respect? What is there in the conditions of Ireland which demand treatment to which town tenants in England and Scotland are not also entitled? We gave to the tenant farmers of Ireland exceptional treatment in regard to agriculural tenancies, but surely your Lordships have not forgotten the reasons by which that great concession was justified. There were two. We were told, in the first place, that the tenants in Ireland made the improvements upon their farms, whereas in England the improvements were made by the landlord. In the second place, we were told that the great mass of Irish tenants were so helpless that they required this protection as they were unable to make contracts for themselves. I am sure the Lord President of the Council will remember how frequently that proposition was enforced by Mr. Gladstone. Can anybody say when you come to deal with tenants of town property in Ireland that the same conditions apply? I do not believe it for a moment. The noble Lord opposite, who moved the Second Reading in an excellent speech, took for his text—what? The case of the town tenant who wanted a billiard-room, and he said that because this man wished for a billiard-room and his landlord might drive a hard bargain, therefore you ought to depart from freedom of contract and introduce all these unheard-of provisions. Could any illustration have been more unfortunately selected? I do not desire to detain your Lordships at this late hour; I am quite ready to believe that this Bill contains some good provisions, and I am prepared to look at them with a magnifying glass. But I believe also that it contains some uncommonly bad provisions, and I hope that when we get into Committee your Lordships will make it your business to distinguish very carefully between the good and bad, and that when the Bill leaves this House some of the bad provisions may no longer find a place in it.

*THE EARL OF CREWE: I am very much disposed to apologise to your Lordships for rising again after having inflicted myself upon the House for so lengthened a period earlier in the evening on another subject, but, as your Lordships are aware, I have some acquaintance with Irish matters, and therefore it is perhaps right that I should say a word on this Bill. Lord Oranmore said that the subjects before the House during the last few days have been somewhat numerous, but I am bound to say that in this very interesting debate—which was opened by my noble friend, as the noble Marquess opposite was good enough to say, and I quite agree, in a very capable speech—we have had full evidence that the flexibility of mind enjoyed by your Lordships has in no way become impaired by the variety of subjects we have had lately to consider. The noble Viscount, Lord Ridley, gave us something of a constitutional lecture, and hinted that we were doing something extremely improper in adopting this Irish foundling, and the noble Marquess seemed inclined to back up that criticism. But, after all, everybody knows that this occasional practice of adoption, if not indulged in too often, is common to all Governments, and has often been employed by the Party opposite with, I dare say, very good results. It is perfectly true that Bills taken up in this way often require a good deal of Amendment, and if your Lordships have followed the course of this particular Bill they will have seen that the Government have taken it pretty severely in hand and amended it to no small extent.

There is one singular fact about this House, and that is, that as a rule when questions connected with land come before us we look at them from one point of view. We are undoubtedly a House of landlords—country landlords—but we are also to a very large extent a House of town tenants, because many of your Lordships are tenants of urban property, but it is only a fortunate few who are landlords of estates of that kind. This Bill attempts to carry out two objects, viz., to give compensation for tenants' improvements in all kinds of town tenancies and to give compensation for disturbance from business premises. The noble and learned Lord opposite (Lord Ashbourne) fell into a somewhat remarkable error in regard to this compensation for disturbance when he spoke of houses in the country and houses in fashionable squares. He should, I think, have been aware that it is entirely to business premises that this compensation for unreasonable disturbance is confined. As regards compensation for tenants' improvements, I am inclined to ask your Lordships, is it possible to raise any objection to the principle of compensation to tenants, whether rich or poor, in towns for improvements which they have executed? If noble Lords will look at this Bill they will see that compensation is fenced round with almost innumerable safeguards. There are a vast number of conditions to be fulfilled before the tenant can obtain compensation for any improvements he has made. Building leases have been mentioned. I think if noble Lords will look at sub-section (4) of Clause 2 they will see that a very large number—I should think the great majority—of what are ordinarily known as building leases would fail to become subjects for compensation for improvements under that sub-section. The noble Viscount, and I think also the noble Marquess opposite, said, Why, if this principle is so good, do you not extend it to England? I am bound to say that if you find the same conditions in England as are likely to be dealt with under this Bill I have no answer to that question.

*THE MARQUESS OF LANSDOWNE: What conditions?

*THE EARL OF CREWE: The conditions in which tenants find themselves liable to be evicted from town holdings which they have been unable to get their landlords to improve, and which they themselves have improved. Noble Lords have implied all through that the conditions are the same throughout the United Kingdom in urban matters. I think that is a statement which needs a certain amount of correction. In Scotland, perhaps, the feuar system between landlord and town tenant is almost the universal rule. In England long leases, though perhaps not the invariable rule, are certainly a very general rule. If noble Lords will consider, therefore, I think they will see that under long leases—leases for ninety-nine years and so on—the probability of compensation for improvements being obtained is, of course, infinitely less than it would be for short leases, because it is obvious that the enjoyment which the tenant has had of the improvement is one of the considerations which the Court would have to take into consideration, and, consequently, the tenant would be far less likely to receive compensation. But unless I am entirely misinformed there is this difference; there are a very considerable number of quite short leases in Irish towns. Particularly in the smaller Irish towns is it the case that many landlords will not let for more than thirty years, and that kind of lease, as it seems to me, certainly places the tenant in an extremely unfavourable position, because anything he does towards the middle of his lease is likely to be almost entirely sacrificed, and probably, therefore, he would let things slide, and improvements would be made neither by the landlord nor the tenant. The noble Marquess was not quite fair upon my noble friend behind me when he said he had instanced the case of a person who had erected a billiard room. He did mention that instance, but he mentioned it as one for which a claim for compensation would not in itself be very sympathetically received. But the case he mentioned was that of a poor clerk who added, or wished to add, a small bathroom to his house—and a very laudable thing to do—but he was either prevented from doing it, or, if he did, he got no compensation. Lord Oranmore asked why not have a sinking fund. Well, you cannot have a sinking fund for a bathroom, and consequently small domestic improvements of that kind can hardly be made in that particular way. I do not hesitate to say—and I believe it it is the personal opinion of a great many people of the Party to which I belong—that the extraordinary monopoly value which the ownership of town property confers upon the landlord does lay the landlord under a very considerable debt both to the tenants who are on that property and to the public generally.

Now, my Lords, the Bill as it was introduced erred, from my point of view, in making too much of the tenant. Ireland is a very individualistic country, and it has been, to my mind, the fault of a good deal of Irish legislation that it has done more for the individual farmer or the individual labourer than it has done for the farming class or the labouring class, and this Bill, as introduced under Irish auspices, erred, I think, in the direction of doing far too much for the actual tenant who is occupying the house and not leaving enough for what I personally should like to see done, namely, a larger share of the monopoly value of these town properties given for the benefit of the community. But as the Bill now stands I do not think that that criticism applies. The retroactive powers of this Bill have come in for some pretty severe criticism. I confess I cannot see on what principle, if compensation for improvements is right at all, an improvement executed within the last few years, instead of being executed next year, in any way diminishes the tenant's claim. Nor do I see how the landlord is to be the worse off, because if this Bill had been in operation he ought either to have done the improvements himself or allowed the tenant to do them. The fact of the tenant having done them seems to me to entitle the tenant to as much compensation as if he did it in a year or two. At the same time, I do not think noble Lords need be very much alarmed at this retrospective action; I doubt if tenants will get very much under it. I think as a rule it will be difficult for them to show in a great many cases that they have actually increased the letting value, and I am inclined to think from the nature of the tribunal, which is likely to take a severely legal view of these matters, that the actual amount which will be gained by tenants under the retrospective clause will not be very great.

Interference with existing contracts is another point which has been hardly dealt with. It is, of course, easy to say that this is a novel proceeding when applied to urban properties; but it was a very novel proceeding when applied to agricultural property by noble Lords opposite in 1887, when they turned leaseholders into present tenants. I do not know any case of interference with contract in any country that was stronger than that. Although I am perfectly certain that noble Lords opposite were quite right to do it, yet if that were right in itself the mere fact of there being no precedent for it is not enough, to my mind, to condemn it. I think it is important to notice that as regards the question of compensation for disturbance the right is very largely protected. It is perfectly true for one thing, as my noble friend said, that the raising of rent is in itself no claim for compensation. It does not mean that an exorbitant rent put on, in the manner my noble friend Lord Dunraven so very clearly described, for a penal purpose might not cause the claim for compensation, and one which could be sustained—and in such a case as that I certainly think it ought to be sustained—but an ordinary raising of rent due to an ordinary increase in the value of the property would, of course, give no claim for compensation, and none of your Lordships would be inclined to say that it ought. I am bound to say I agree also with what has been said as to its being a little late to talk about the power of contracting out as a necessary provision in every Bill of this kind. It is perfectly true there may be some cases, as Lord Ashbourne said, of owners of large business premises who ought to be able to contract out if they like; but, on the other hand, I do not know that the landlord would undergo any necessary hardship by forbidding even those people to contract out considering how tightly in every respect the power of claiming compensation for improvements is tied up. I am quite sure as regards the smaller tenants it is very important indeed that they should not be allowed to contract out for the same reason as the noble Marquess opposite claimed as a reason for so many of the provisions of the Irish Land Acts, that the contract between these people and a powerful landlord, particularly in the case of a man who holds the whole of a country town, cannot be regarded as a free contract, and therefore undoubtedly the provision ought to be contained in the Bill.

I have every reason to believe that there is a large demand for this measure in Ireland, a demand which is not confined to the South or West of Ireland, but extends, as was shown by several speeches made in another place, to the North of Ireland as well, and I think the onus of proving that it is not wanted after its passage through the House of Commons lies with noble Lords opposite. As regards the point raised by the noble and learned Lord as to what superior Court the appeal ought to be made, I have no doubt my noble friend behind me with his friends at the Irish Office will take that into consideration in view of the authority of the noble and learned Lord as a former Lord Chancellor of Ireland. I have only one further observation to make. The noble Marquess opposite complained that we had fallen into the habit of bringing in rather drastic legislation, not to remedy wrongs which were of extremely frequent occurrence, but wrongs which were only committed by a few unreasonable people. I am bound to say that I think the harm that can be done to a whole system and a whole class by the acts of a few unreasonable people can hardly be exaggerated, and from that point of view I am in hearty agreement with my noble friend Lord Dunraven when he said that all landlords who conduct their affairs in a sensible, fair, and business-like manner ought to be grateful when a check is put upon those who do the opposite. It is exactly the same criticism, and no doubt the noble Marquess had in his mind the appeal of my noble friend, Lord Carrington. To my mind precisely the same considerations apply. It is perfectly true that the cases may be few, but when you have got what is after all an artificial system in the land system both in England and Ireland, it is amazing what harm may be done by two or three arbitrary people who give evidence all over the country as to the lengths to which an unreasonable person may by law go, and thereby bring the whole system under suspicion. Therefore on these grounds I entirely agree with my noble friend that this is a Bill which Irish landlords ought to welcome.

LORD CLIFFORD OF CHUDLEIGH: I only wish to ask one or two questions. I understood the noble Lord who has just sat down to say that this Bill only refers to business premises.

*THE EARL OF CREWE: Only as regards compensation.

LORD CLIFFORD OF CHUDLEIGH: The other matter that was a little puzzling is this; there was a discussion between two noble Lords as to the question whether or not certain leases were dealt with under the Bill. I find the explanation of the word 'leases' in the definition clause, but I cannot discover in the Bill any reference at all to any leases of any kind. The word does not occur from beginning to end.

LORD DENMAN: In answer to the Question of the noble Lord, I believe that Clause 2 sub-section (4) does deal to a certain extent with the question of building leases, but it is rather a difficult conundrum the noble Lord has put to me to answer on the spur of the moment. I can only tell him that some building leases may be excluded from the provisions of the Bill under that sub-section.

LORD CLIFFORD OF CHUDLEIGH: It is rather an odd piece of drafting to put in a definition of a word which does not occur from beginning to end of the Bill.

On Question, Motion agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Tuesday next.

LAND TENURE BILL.

LORD BALFOUR OF BURLEIGH: I should like to ask the President of the Board of Agriculture a Question of which I have given him private notice. The noble Earl and the First Lord of Admiralty both promised certain Amendments to the Land Tenure Bill which, more or less, are to apply to Scotland. The noble Earl has put down a large number of Amendments, most of which, though not exclusively, are of a drafting nature. I should like to be told if possible when we may see the other Amendments, and the reason I ask is that the House does not sit to-morrow, and if they are not to be put down until Monday it will be too late to consult our friends in Scotland before the Bill comes on.

EARL CARRINGTON: According to promises I gave to the noble Lord I did my best to get what Amendments we had ready, and the drafting Amendments will be out to-morrow morning. With reference to the other Amendments, I hope to be able to get them out on Saturday morning. I will do the best I can.

House adjourned at half-past Eleven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS.

Thursday, 6th December, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

LICENSING ACTS.

Petition from Eccles, for alteration of Law; to lie upon the Table.

RETURNS, REPORTS, ETC.

UNITED STATES (No. 1, 1906).

Copy presented, of Correspondence respecting the Newfoundland Fisheries (by Command); to lie upon the Table.

TRADE REPORT (ANNUAL SERIES).

Copy presented, of Diplomatic and Consular Report, Annual Series, No. 3737 (by Command); to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Irish Board of Works and Trade Unions.

MR. FIELD (Dublin, St. Patrick): To ask the Secretary to the Treasury whether he is aware that the Commissioners of Public Works, Ireland, have refused to hear complaints from the organisations to which their employees belong unless the complaints are made in the first instance by the individuals affected; and whether, seeing that the wages of the labourers and mechanics employed by the Board of Works, Ireland, are below the market rate, he will have the wages brought up to the trade unions rates prevailing in the respective districts.

(*Answered by Mr. McKenna.*) The Board of Works inform me that the Answer to the first part of the Question is in the affirmative. The statement contained in the latter part of the Question is misleading. In estimating the wages paid account has to be taken of many important advantages which are enjoyed by men in the public service, but which are not shared by men in private employ. The Board of Works are inquiring into the rates actually paid by other employers, and in any case in which the rates paid to the employees of the Board of Works are below the market rate, after taking into account the special advantages attaching to Government service, the rates paid will be increased accordingly. There may, however, be a few cases of workmen who are not capable of doing a full day's work, but whose services are retained from motives of compassion at less than the full market rate.

Heavy Motor Traffic and Skidding.

MR. COURTHOPE (Sussex, Rye): To ask the President of the Local Government Board whether any and, if so, what trials or experiments have taken place with heavy motor vehicles, running at a speed exceeding eight but not exceeding twelve miles an hour, on wheels fitted with tyres of other substances than rubber; whether such substances include wood; what conclusions, if any, have been arrived at as a result of such trials in respect of skidding on a wet surface and wear and tear of roadway.

(*Answered by Mr. John Burns.*) The only case of the kind referred to within my knowledge is one in which a trial was made of a heavy motor car running on wheels fitted with wooden tyres. The result of the trial was not altogether satisfactory as regards skidding.

Municipal Contributions to Unemployed Funds.

MR. KEIR HARDIE (Merthyr Tydvil): To ask the President of the Local Government Board whether he can state what contributions have been paid by the metropolitan boroughs and the great provincial centres of population, such as Manchester, Liverpool, Leeds, Newcastle, and Glasgow, under the provisions of the Unemployed Workmen's Act, and what rate per £ they represent; and whether the twenty-nine distress committees represented on the deputation which waited upon him recently to claim a share of the £200,000 grant have exhausted their spending powers under the Act.

(*Answered by Mr. John Burns.*) The Central (Unemployed) Body for London called on the Common Council and the councils of the metropolitan boroughs for contributions from the rates in February and August last of £25,000 and £43,382, respectively. The sum actually paid up to date is £61,397, which is equivalent to a rate of one-third of a penny in the £ on the present assessable value of London. As regards the distress committees outside London, my information generally relates to the period up to 31st March last only. According to this, sums of £500, £525, and £750 were contributed by the town councils of Leeds, Liverpool, and Manchester. The distress committees represented on the deputation referred to do not appear to have exhausted their power of raising contributions from the rates under the Act on the 31st March, and I am not aware that they have done so since.

British and Norwegian Granite.

MR. HUGH LAW (Donegal, W.): To ask the President of the Local Government Board whether he is aware that some local authorities are accustomed to specify for the use of Norwegian granite in public works under their control; and whether, in view of the existence of undeveloped quarries of suitable granite in Great Britain and in Ireland, he will circularise local authorities, and will point out the undesirability of giving this undue preference to foreign quarry owners.

(*Answered by Mr. John Burns.*) I understand that in some localities Norwegian granite is cheaper than other similar stone, and I presume that it is on this ground that some local authorities prefer to use it. I could not undertake to interfere with the exercise of their discretion in the matter.

Pay of Supernumeraries in Post Office during Christmas Pressure.

MR. STEADMAN (Finsbury, Central): To ask the Postmaster-General if he is employing Christmas supernumeraries in the London postal service at the rate of 3s. 4d. per day of eight hours, on duties which entail attendance at any period during the twenty-four hours, with a deduction of 1s. per day until a test in sorting work is passed; and, if so, whether he can see his way to grant these men the recognised trade union rate for the London district, of 30s. per week.

(*Answered by Mr. Sydney Buxton.*) I am not aware that there is any recognised trade union rate with which the wages in question can be compared.

Sub-Postmaster of Pomeroy (County Tyrone) and Political Disturbances.

MR. MACVEAGH (Down, S.): To ask the Postmaster-General whether William Kelly, sub-postmaster of Pomeroy, county Tyrone, is a member of the Orange Society; whether this official has compromised a case in which he was accused of a political assault whilst in a state of intoxication; on what grounds he was previously removed from Stewartstown; and what action is proposed to be taken by the postal authorities.

(*Answered by Mr. Sydney Buxton.*) I have no information on the subject, but I am inquiring, and will let the hon. Member know the result.

Repair and Refit of H.M.S. "Hannibal."

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty on what date the repair and refit of H.M.S. "Hannibal" was taken in hand; on what date were they completed; and how much of the £78,730 voted in 1905–6 was spent.

(*Answered by Mr. Edmund Robertson.*) The refit of H.M.S. "Hannibal" was commenced in August, 1905, and completed in November, 1906. The expenditure in 1905–6 was £4,200.

Age Retirement of the Controller and Auditor-General.

Mr. PAUL (Northampton): To ask Mr. Chancellor of the Exchequer whether the present Controller and Auditor-General was appointed by the late Government with an understanding that he should retire at a particular age, and, if so, at what age; whether they had any right to exact such terms, or any others; and whether Mr. Kempe is made by statute independent of the Executive, so that he should be responsible to this House alone.

(*Answered by Mr. Asquith.*) I am informed that an understanding was made with Mr. Kempe when he was appointed that he is to retire at the age of sixty-five. There is no provision made by statute for the compulsory retirement of this officer at any particular age, and I conjecture that the object of the arrangement was that Mr. Kempe should agree to give up his post at the usual age of retirement in the Civil Service. There can be no question that the holder of the office is by statute independent of the executive and solely responsible to the House of Commons.

Milan International Exhibition—Jurors.

Mr. HALPIN (Clare, W.): To ask the Secretary to the Treasury whether he will state, in connection with the Milan International Exhibition, on what group jury Admiral C. P. Fitzgerald served, and what his qualifications were; if Mr. J. Sebastian Barnett, the other Irish juror, is connected with any trade interests, British or Irish; and why Dr. Yoshioka, the Japanese fishery expert, was permitted to serve as a British juror, considering that British and Irish fishery experts were available; will he say if the names of the merchants and manufacturers in such cities as Cork, Limerick, and Waterford, and industrial centres as Wexford, will be given who were approached by the Commission with a view to their participating at Milan, and if the name of the exhibition agents who were authorised to get a representative Irish exhibit will be given; will he explain why a special Commissioner was not appointed for Ireland to deal with the matter instead of giving the concession for speculative purposes to a private firm, and if a return will be given as to the fees paid to each juror for serving at Milan, whether he will state if the Government before giving further grants for exhibition purposes, will take steps when Commissions are being organised to see that the science, arts, and industries and trade interests shall be represented by Commissioners who are competent; whether the rules governing the system of awards will be published after each Commission is organised, and no jurors will be nominated unless they are experts and endorsed by the industries to which they belong, and that no foreigner will be allowed to represent British or Irish industries as Commissioners or jurors at future exhibitions, and that, for the protection of British and Irish industries, the expenses of jurors shall be provided for by each Commission.

(*Answered by Mr. McKenna.*) I am informed by Sir A. Rollit, the President of the Commission, that Admiral Fitzgerald served on group jury thirty, dealing with the construction and equipment of war navies, for which his professional career is the best qualification I can mention. Mr. Sebastian Barnett is not at present connected with any trade interests, British or Irish, but I understand he was so connected in the past. His knowledge of Italian rendered him a most efficient juryman. Dr. Yoshioka had expressed a desire to serve, and was gladly appointed upon the failure of the Commission to secure the service of an expert with the necessary qualifications who was also a British subject. With regard to the fourth part of the Question, I am informed that the Commission issued circulars inviting exhibits to about twenty leading merchants and manufacturers in Cork, among whom were the following:—Messrs. Baker and Company; Beamish and Crawford, Limited; Booth and Fox, Limited; the County Cork Agricultural Society; the Cork Distillery Company, Limited; Crane and Sons, Limited; Thomas Jennings; the Irish Cycle and Motor Company; Timothy M'Carthy, etc. To ten in Limerick, including:—Messrs. J. and G. Boyd and Company, the Limerick Lace School, Denny and Sons, Limited, etc. The Commission also sent circulars, with requests to make the exhibition known to all possible exhibitors in Ireland, to the Chambers of Commerce of Cork and Limerick. Notices were also inserted in the Press of the United Kingdom. The name of the exhibition agents is Messrs. Hillman Brothers, of Newbury, Berks, a firm which possesses among other qualifications the special advantage of having been agents at the Cork Exhibition, and thus in touch with a large number of representatives of Irish industries. The President informs me that a special Commissioner was not appointed for Ireland because it was left to the Department of Agriculture and Technical Instruction to take the necessary steps to secure Irish representation. The exhibition agents, of course, acted under the directions of the Commission, and there was no question of their employment being "for speculative purposes." The sum of £25 was paid towards the expenses of each juryman who went to Italy from the United Kingdom and £10 to those resident in Italy. The President declined to take any remuneration for acting as a member of the superior jury. The remaining points raised in the Question form the subject of inquiry of a Committee which is now sitting, and I am unable to make any statement in anticipation of the Committee's Report in regard to them; but I cannot for a moment admit the implied imputations against the Commissioners.

Cost of Increase of Turkish Customs Duties.

MR. LYNCH (Yorkshire, W.R., Ripon) To ask the Secretary of State for Foreign Affairs whether, before concluding the negotiations for the increase in the Turkish Customs duties, he will await the receipt from the British Financial Adviser on the Reform Commission in Macedonia of financial statements establishing the fact that the additional cost of putting the reforms into execution will not be less than the revenues to be derived from the new duties.

(*Answered by Secretary Sir Edward Grey.*) His Majesty's Government are still awaiting information on certain points before giving their assent to the increase in the Turkish Customs duties, but I am unable to give the hon. Member any pledge which would interfere with our liberty of action or prevent us from continuing to act with other Powers in the matter.

Landing of Derelict Cattle Wood in the Thames Estuary.

MR. WHITEHEAD (Essex, S.E.): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether any instructions have recently been given to the Customs officer in the district of Leigh-on-Sea to prevent the fishermen in that district from acquiring and using the large quantity of wood known as cattle wood which is thrown overboard by vessels in the Thames estuary; whether he is aware that the fishermen have for a long period been accustomed to make use of this derelict wood; and whether he will give instructions that there shall be no unreasonable interference with them in the exercise of this customary privilege.

(*Answered by Sir Edward Strachey.*) No instructions on this subject have been issued to the Customs preventive officer in charge at Southend, who supervises the district in which Leigh-on-Sea is situated. That officer reports that about two months ago an inquiry was addressed to him, by the local secretary to the Kent and Essex Fishermen's Protection Society, as to whether there was any objection to the Leigh fishermen landing cattle wood. In reply attention was directed to Section 20 of the Foreign Animals Order of 1903, and on further inquiry being made as to whether, if the terms of that section were complied with, cattle wood could be landed, it was stated that any considerable quantity of such wood that might be landed would be treated as wreck and taken over on behalf of the district receiver of wreck. The Southend officer also states that during the last two years only one instance of cattle wood being landed has come under his notice and, as in that case the quantity was inconsiderable, delivery was permitted after disinfection.

Dismissal of School Teachers for Inefficiency.

MR. SLOAN (Belfast, S.): To ask the President of the Board of Education how many teachers have been dismissed for inefficiency during each year since 1899.

(*Answered by Mr. Birrell.*) The appointment and dismissal of teachers of public elementary schools does not rest with the Board of Education, and I am quite unable to state the figures asked for in the Question.

MR. SLOAN: To ask the Secretary for Scotland how many teachers have been dismissed by order of the Education Department for inefficiency during each year since 1899.

(*Answered by Mr. Sinclair.*) The dismissal of teachers is not effected by order of the Department but by resolution of the individual school boards by whom they are employed. A teacher's certificate may, however, be recalled, suspended, or reduced by the Department under Article 69 of the Code. Since 1899 there has been one case of recall (in 1900) and one case of suspension (in 1905).

Central Telegraph Office Staff—Relief from Duty in cases of Urgent Domestic Distress.

MR. STEADMAN: To ask the Postmaster-General whether he is aware that the staff of the Central Telegraph Office, through the London branch of the Postal Telegraph Clerks' Association, and in a number of cases by individual appeal, have protested against the action of the deputy controller, with reference to release from duty in cases of urgent domestic distress; whether he is aware that, as a result of this action, all grades of officials in the Central Telegraph Office are disturbed; and whether, in view of these protests, he will place the decision on these questions in the hands of the controller exclusively.

(*Answered by Mr. Sydney Buxton.*) As my hon. friend is aware, I am always ready to receive and to deal with any appeals submitted to me by the staff collectively or by individual officers when they consider that they have been unfairly treated.

Sale of Old War Stores—Unsound Tinned Meat.

MR. E. H. LAMB (Rochester): To ask the President of the Local Government Board whether he is aware that consignments of goods sent out to South Africa for the use of the troops during the late war are being sent back to the United Kingdom, and that a part of such returned consignments consist of unsound tinned food; whether his attention has been called to the fact that more than 10,000 tins of food returned from South Africa were lately advertised for sale by public auction in the City of London and seized by the medical officer of health as being unfit for human food; and whether any, and, if so, what, steps are being taken to guard against the introduction of future consignments of unsound food from this source.

(*Answered by Mr. John Burns.*) The facts are, I believe, substantially as stated in the Question. As regards the last paragraph of it, the Local Government Board have given attention to the matter, and special inquiries have been made by them, with the assistance of the Board of Customs, regarding the importation of meat essences from South Africa, the condition of which was unsatisfactory. Where possible, steps have been taken to obtain such action as local authorities have been able to take to deal with the matter. Moreover, inquiries are being made regarding other food stuffs returned from South Africa. Further legislation, however, of the kind contemplated by the Public Health (Regulations as to Food) Bill, now before Parliament, is necessary to guard effectively against the introduction of consignments of unsound food.

Issue of Order under Education Act, 1902.

MR. TALBOT (Oxford University): To ask the President of the Local Government Board whether his attention has been called to the statements made by his predecessor on the 15th May and the 4th July, 1905, that the issue of an Order of the Board under paragraph (19) of the Second Schedule of the Education Act, 1902. might be expected shortly; whether he is aware of the inconvenience arising from the delay which in consequence of the non-issue of such Order has occurred in the appointment of an attendance officer for the district of Sevenoaks; and whether he can say when the issue of the Order may be expected.

(*Answered by Mr. John Burns.*) I regret the delay in the issue of the Order, which has been found to involve questions of much difficulty. It is, however, being proceeded with, and may be expected to be issued at a very early date.

Concessions to Dockyard Joiners.

MR. ARTHUR LEE (Hampshire, Fareham): To ask the Secretary to the Admiralty if he can state why no mention is made in the recently published list of concessions to dockyard employees of the petition of the joiners; and whether their case is being further considered.

(*Answered by Mr. Edmund Robertson.*) The joiners, having received an increase of 1s. 6d. a week in 1904 and a further increase of 1s. a week in 1905, did not participate in the increases recently granted to other workmen.

Warders Quarters at Princetown.

MR. LUTTRELL (Devonshire, Tavistock): To ask the Secretary of State for the Home Department whether, in view of the insufficient and bad housing accommodation of the prison warders at Princetown, he will take steps to erect new buildings at a greater rate of speed than at present.

(*Answered by Mr. Secretary Gladstone.*) By the end of the current year 192 officers will be in quarters out of 222 entitled to quarters, and, though some of these quarters are not the most modern type, their reconstruction is not a matter of urgency. Money will, however, be taken in the Estimates for next year for the provision of additional quarters, and the work will be proceeded with with as much speed as the conditions permit.

Failure of Potato Crop—Grants to Tenants.

DR. AMBROSE (Mayo, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to a resolution of the Westport board of guardians of the 1st instant, requesting the Congested Districts Board, owing to the almost total failure of the potato crop, to grant a reduction of rent to their tenants on the Stoney estate, near Newport, county Mayo, equivalent to that granted by the late landlord; will he see that such reduction is granted; will he see that the Board give a detailed statement of the expenditure of £3,397 on improvements on this estate, and what amount has been spent on the purchase of holdings in the village of Murrivagh; and can he say what amount, if any, Mr. Stoney received from the Board for the purpose of building a fence round the mountain resold to him by the Board.

Answered by Mr. Bryce.) The resolution of the Westport guardians referred to has been received by the Congested Districts Board. The Board had before them at their last meeting an application from some of the tenants asking for a reduction of rent on account of the failure of the potato crop, but decided that they could not grant this request. A considerable sum has been expended on the estate, and the delay in resale has been due solely to the Board's desire to enlarge the holdings of the tenants by dividing amongst them lands which they have purchased in the neighbourhood. The board have provided for a loss of £2,848 in dealing with this estate. Their expenditure has been as follows—

	£
Supervision - - - - -	319
Mearing Fences - - - - -	184
Roads and Fences - - -	443
Buildings - - - - - -	110
Drainage - - - - - -	271
Tools - - - - - -	39
Lockspitting - - - - -	13
House Improvements - - -	61
Miscellaneous - - - - -	6
Annual charges - - - - -	372
Annuities to Land Commission -	1,520
Surveys - - - - - -	33
Live stock - - - - - -	33
Tenant Interests purchased -	506
	£3,910

For the purchase of tenants' interest in the townland of Murrivagh the Board have paid £420. The figures £3,397 given in the Question were taken from the Appendix of the Board's last Annual Report, and included other expenditure besides improvement works. When Mr Stoney recently agreed to sell to the Board a further area of arable land, on condition that the Board resold to him some mountain land, it was stipulated that the Board should pay half the cost of the construction of a wall between the lands retained by Mr. Stoney and those purchased by the Board, and the Board's share amounts to £165.

Grant to Andrew Beggan on the Smith Estate, Cootehill.

MR. McKEAN (Monahgan, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that the Estates Commissioners, having had inquiries made into the facts of the case of Andrew Beggan, a tenant evicted from the Smith estate, Cootehill (part of which is in county Monaghan), have fixed £50 for the purposes of re-instatement, re-stocking, and successful working of the farm; whether, having regard to the ruinous condition of the dwelling house on the farm and the outbuildings attached to it, the Estates Commissioners will agree to increase the amount to £150; and whether the latter will state the actual terms of sale and purchase and the resulting rent Beggan will have to pay before requiring him to sign the agreement for purchase.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they are prepared to make a free grant of £70 to Andrew Beggan to assist him in working his former holding. The amount which the Commissioners are prepared to advance for the purchase of the holding is £158, the annuity on which at 3¼ per cent. is £5 2s. 8d.

Rent Reductions in King's County.

MR. HAVILAND BURKE (King's County, Tullamore): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what were the average reductions in the land courts on first and second-term rents respectively in King's County for the ten years ending the 31st March last, and the average reductions for the same period on the estate of Lord Digby in the barony of Geashill.

(*Answered by Mr. Bryce.*) I am informed by the Land Commission that in cases of judicial rents fixed in King's County during the last ten years ending 31st March last the average reductions were for first term rents 13·1 per cent. and for second-term rents 15·6 per cent. As regards the cases on Lord Digby's estate for that period, the Land Commission observe that the parties on both sides have long since been notified of the decision, and the Commissioners do not think it desirable that the result of such judicial decisions under the Land Law Acts in regard to a particular estate should be discussed by means of Parliamentary Questions.

Application for Advice to Commissioners of Charitable Donations and Bequests in Ireland.

MR. McKILLOP (Armagh, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how many applications to the Commissioners of Charitable Donations and Bequests in Ireland for advice under the Act are now pending and undisposed of, and the dates when the said applications were received by the Commissioners; in how many applications during the past twelve months did the Commissioners refuse to give any opinion or advice whilst declining to state to applicant any ground for their decision; and how many of the four applications in which the Commissioners did not deem it expedient to give any opinion or advice related to Catholic charities.

(*Answered by Mr. Bryce.*) The secretaries to the Commission of Charitable Donations and Bequests inform me that this Question will be submitted to the Commissioners for consideration at their next meeting on the 12th instant.

Higher Velocity Ammunition.

MR. COCHRANE (Ayrshire, N.): To ask the Secretary of State for War whether any experiments have been instituted by the War Office with a view to supplying our troops with higher velocity ammunition; and, if so when did such experiments commence; and when are they likely to be concluded.

(*Answered by Mr. Secretary Haldane.*) Yes, Sir, experiments in this direction have been in progress for some time. I am afraid that I cannot say when they will be concluded, but they are being carried out as rapidly as is consistent with the attainment of scientifically reliable results.

MR. COCHRANE: To ask the Secretary of State for War whether the French, German, and United States Governments have all adopted new small arms ammunition giving very much higher velocities than those obtained with our small arms ammunition.

(*Answered by Mr. Secretary Haldane.*) It is understood that the Governments referred to have adopted small arms ammunition giving higher velocities than that obtained from our present ammunition. The bullet is, of course, much lighter.

QUESTIONS IN THE HOUSE.

The Portsmouth Courts-Martial.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Secretary to the Admiralty if his attention has been called to the sentence on a stoker at Portsmouth of five years penal servitude; and whether, in view of the severity of this sentence and the character of the alleged offence, any steps will be taken to reverse it.

The following Questions on the same subject also appeared on the Paper:—

MR. VINCENT KENNEDY (Cavan, W.): To ask the Secretary to the Admiralty what rule or regulation in the Naval Code provides for the order, "On your knees"; where it is to be found; and will he state whether there is any order of a kindred nature which is still in vogue in the service.

MR. DALZIEL (Kirkcaldy Burghs): To ask the Secretary to the Admiralty whether the proceedings in connection with the recent disturbances at Portsmouth have been concluded; and can he state when he hopes to be able to make a statement on the subject.

MR. DALZIEL: To ask the Secretary to the Admiralty whether he can offer any explanation as to why no official notice was taken in September, 1905, of the complaint of stoker Acton that Lieutenant Collard had been guilty of giving improper orders.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The report of the last court-martial has only just reached the Admiralty. The reports of all the courts-martial cover 475 typewritten foolscap pages, which have to be considered by each member of the Board. The questions arising are numerous and important, and will be dealt with, as I have already said, in one comprehensive Admiralty Minute. All despatch consistent with due deliberation will be employed, but I cannot at present name any definite date for the promulgation of the Minute.

MR. WILLIAM REDMOND asked whether the Admiralty, in considering this matter, would bear in mind the strong feeling there was that, if an officer who was found guilty of giving an improper order was merely reprimanded, it was, to say the least, an outrage and injustice to give a stoker five years penal servitude for not obeying that order.

MR. EDMUND ROBERTSON: The Admiralty will consider all the circumstances.

MR. WILLIAM REDMOND: It is introducing Russian methods here.

MR. T. L. CORBETT (Down, N.): I desire to ask the right hon. Gentleman whether the order "On the knee" has ever been disobeyed by the Government when given by Gentlemen below the gangway?

MR. VINCENT KENNEDY: Will the right hon. Gentleman not answer the last part of my Question?

MR. EDMUND ROBERTSON: I cannot now make a statement on one part of the Question.

MR. WILLIAM REDMOND: When may I ask the Question again?

MR. EDMUND ROBERTSON: I hope the Minute will be issued before the end of next week.

MR. WILLIAM REDMOND: Then I will put the Question down for this day week.

Rosyth.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary to the Admiralty whether, in view of the fact that our fleet in the North Sea has at present no reliable base nearer than the south of England, he will consider the urgency of giving instructions that the work at Rosyth may be vigorously prosecuted.

MR. EDMUND ROBERTSON: The matter is receiving careful consideration, and plans are being prepared for the information of the Board.

Dockyard Wages.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Secretary to the Admiralty what is the estimated increase in the wages in the dockyard services which will come up for course of payment during the year ending 31st March, 1907.

MR. EDMUND ROBERTSON: The estimated additional expenditure for the present financial year on dockyard wages, resulting from the revised rates of pay which came into force from the 1st October, is approximately £30,000.

Dockyard Workmen and the Christmas Holidays.

MR. JENKINS (Chatham): I beg to ask the Secretary to the Admiralty whether an order has been issued to close the whole of the Home dockyards on 24th December; and, if so, whether he will allow the workmen to make up the loss by working overtime, and thus avoid a loss of from 3s. to 6s. per man.

*MR. EDMUND ROBERTSON: In accordance with the invariable custom, where there is only one day between Sunday and a public holiday, it has been decided to close the whole of the Home dockyards on the 24th December, and in such a case the dockyard regulations do not permit of the time lost being worked up.

MR. JENKINS: In view of the season—that it is Christmas time—and that some of the men only earn £1 a week, and what a hard Christmas it will be for them and their families if they lose one day's pay, cannot the Admiralty see their way to relax the rule on this occasion?

*MR. EDMUND ROBERTSON: I can only refer the hon. Member to the dockyard regulations on the subject.

MR. JENKINS: Will the £7,000 which will be saved by closing the dockyards on Christmas eve be applied towards the sum to be expended in connection with the increased wages just given?

*MR. EDMUND ROBERTSON: No, we are following the regulations laid down years ago.

MR. JENKINS: May I appeal to the right hon. Gentleman, in view of what has taken place in the dockyards, to reconsider this matter and waive the regulations for this year?

[No Answer was returned.]

Government Contracts and Fair Wages.

MR. O'GRADY (Leeds, E.): I beg to ask the Secretary to the Admiralty whether he is aware that the firm of Messrs. William Beardmore and Co., Government contractors, Glasgow, do not conform to the fair wages clause by not paying the recognised district rate to enginemen, cranemen, boilermen, and firemen in their employ, and that the firm have refused to consider a petition submitted by the men's society requesting recognition of their society; that men have been dismissed who through their union requested the observance of the district rates; and what steps he proposes to take to ensure the observance by this firm of the fair wages clause.

*MR. EDMUND ROBERTSON: The hon. Member's Question is the first intimation that the Admiralty have received that there was any complaint against the firm in regard to the observance of the fair wages clause. Immediate inquiry will be made.

Dockyard Joiners.

MR. W. T. WILSON (Lancashire, Westhoughton): I beg to ask the Secretary to the Admiralty whether the joiners employed in the Royal dockyards participated in the increase of wages recently granted to the workmen;

whether the increased rate is paid to the joiners employed in all the yards; and, if not, will he state in which yards the increased rate is paid.

*MR. EDMUND ROBERTSON: The joiners having received an increase of 1s. 6d. a week in 1904, and a further increase of 1s. a week in 1905, did not participate in the increases recently granted to other workmen. The remainder of the Question, therefore, does not arise.

MR. JENKINS asked if the joiners did not, in common with other trades in the dockyard, present a petition to the Admiralty setting forth a schedule of wages paid in other places where similar work is done, and were the Admiralty now paying in accordance with that schedule?

*MR. EDMUND ROBERTSON: Yes, I believe the petitions did contain a schedule.

Lovat Scouts.

MR. JOHN DEWAR (Inverness): I beg to ask the Secretary of State for War if he has received two petitions from the islands of Barra, Benbecula, and North and South Uist, bearing over 1,100 signatures, asking that an additional squadron of the Lovat Scouts may be authorised; and whether, having regard to the popularity of the service in these islands, the character of the recruits, and the specially suitable nature of the training ground, he will authorise this addition to the establishment.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The petitions have been received. I fully appreciate the zeal and spirit of the islanders. Whether it would be right to add at present to the existing establishment of Yeomanry is another and much more doubttul matter. The question depends on details of general organisation which cannot possibly be settled for some time.

Cost of Hutting Cavalry Regiments.

MR. PIRIE (Aberdeen, N.): I beg to ask the Secretary of State for War, with regard to his intention to quarter two cavalry regiments in the Scottish command, will he, in the interests of frugality, give the estimated cost of hutting the said regiments on a suitable training ground in Scotland pending the erection of more costly quarters.

MR. HALDANE: The cost of hutting two cavalry regiments in a substantial manner with all accessories is estimated at £150,000. This does not include anything for the ground.

Ammunition Train Officers in the South African War.

COLONEL WALKER (Lancashire, Widnes): I beg to ask the Secretary of State for War how many field officers of the Royal Artillery were detailed for service with the ammunition trains and parks serving in South Africa during the late war; and what was the number of field officers specially appropriated to an ammunition train.

MR. HALDANE: During the first year of the war, the maximum number of ammunition columns in South Africa was eighteen. There was also an ammunition park. The latter was commanded by a lieutenant-colonel; the former by majors, although in some cases captains only were available for the duty. After the early phase of the war, and in consequence of the exceptional conditions that arose in South Africa, regular ammunition columns were abolished, and the number of field or other officers employed cannot now be ascertained.

Small Arm Ammunition.

SIR FREDERICK BANBURY (City of London): I beg to ask the Secretary of State for War if on the 1st November 1906, a portion of the ·303-inch small arm ammunition held as a war reserve at stations abroad was beyond the age when such ammunition could be regarded as reliable, or should be reported upon with a view to its disposal, in accordance with the regulations for Army ordnance services.

MR. HALDANE: There is no reason to believe that any portion of the ·303-inch small arm ammunition held as war reserve at stations abroad on the 1st ultimo was unreliable through age. The whole question of replacing existing stocks of small arm ammunition abroad by charger packed ammunition suitable for use with the new short rifle, now in process of issue, is under consideration.

SIR FREDERICK BANBURY: Has it been recently decided to increase the age limit of this ammunition?

MR. HALDANE: I should like notice of that Question.

LORD BALCARRES (Lancashire, Chorley): Is there any reason to believe this deficiency was not well known at headquarters?

MR. HALDANE: It is not a question of deficiency, it is one of reliability, which is a scientific matter. We have no reason to believe it is unreliable.

Cavalry in Scotland.

MR. DALZIEL: I beg to ask the Secretary of State for War whether the decision to withdraw cavalry from Scotland is mainly due to financial considerations; and, if so, whether inquiry has been made as to the possibility of providing adequate accommodation at a much less sum than £200,000; can he give any indication as to the period to which the temporary withdrawal of cavalry is likely to extend; and has he received any assurance from the Treasury that the necessary funds will be forthcoming at some future date.

MR. HALDANE: As I explained to the Lord Provost in the letter of the 28th ultimo, the withdrawal of the cavalry from Piershill is due to the unsuitable character, for such a unit, of these barracks, and I can at present see no reason why Scotland should cease for more than a time to have cavalry stationed in it. But I cannot now say how long the interval will be, though I undertake to do all that I can, consistently with my duty to this House and to the Army, to make the interval as short as possible. I do not pledge myself as to the exact sum required, but judging from experience about £200,000 is what would be wanted for the site and for building a good up-to-date barrack for cavalry.

MR. YOUNGER (Ayr Burghs): May I ask will the right hon. Gentleman consider whether his decision would not be expedited if the public authorities with suitable grounds would communicate with him to that effect?

MR. HALDANE: There seems to be an outburst of patriotism in Scotland at this time, and if some patriotic people who own beautiful land in the neighbourhood of Edinburgh would put their parks at my disposal it would help to a solution of the problem.

MR. YOUNGER: Arising out of that Question, may I ask the right hon. Gentleman whether he limits that suggestion to Edinburgh.

MR. HALDANE: No, I am open to offers.

MR. DALZIEL: With regard to the Answer of the right hon. Gentleman respecting barracks, would he undertake to use his influence with the great landlords with whom he undoubtedly has great influence?

MR. A. L. STANLEY (Cheshire, Eddisbury): Has Lord Rosebery made any offer to the right hon. Gentleman to supply a training ground?

MR. MACVEAGH (Down, S.): Is the right hon. Gentleman correctly reported as having stated a few days ago that this regiment of Scottish patriots consists mostly of Irishmen who desire to escape from Scotland?

[No Answer was returned.]

Piershill Barracks.

MR. DALZIEL: I beg to ask the Secretary of State for War whether his attention has been drawn to the fact that such high authorities as Sir Henry Littlejohn and Dr. Williamson have reported that Piershill Barracks are in a perfectly sanitary condition; and whether, in view of the statements made on behalf of the War Office to a contrary effect, he has any objection to lay upon the Table the Report on which the conclusion of the War Office was arrived at.

MR. HALDANE: My attention has been drawn to the statement that Sir Henry Littlejohn and Dr. Williamson have reported that Piershill Barracks are in a perfect sanitary condition. As such reports would contradict the information I have received from the War Office experts, I have sent Lieutenant-Colonel Melville, R.A.M.C., and Mr. Tyndale, sanitary engineer, down to Piershill, and have made the request that Sir Henry Littlejohn and Dr. Williamson should meet them on the spot while they make a fresh inquiry. I will lay the Report of these experts on the Table of the House as soon as I get it, and I will also lay on the Table the Report of Sir Alfred Keogh, the Director-General of Army Medical Services, who, at my request, inspected these barracks last summer, and who has informed me that, in addition to his dissatisfaction with other features of the barracks, he found it difficult to express in moderate language his view of the conditions under which the number of officers required for a cavalry regiment were being accommodated.

MR. DALZIEL: Have any special instructions been given these experts to report on the sanitary condition of the barracks?

MR. HALDANE was understood to reply in the negative.

Dublin Army Ordnance Department.

MR. LUNDON (Limerick, E.): I beg to ask the Secretary of State for War if he is aware that civil clerks and civil labourers in the Army Ordnance Department at Dublin are being discharged to make room for soldier clerks and soldier labourers of the Army Ordnance Corps, and that the military labour is a heavier charge against the public; and whether, seeing that civil labourers at wages of 18s. a week are employed as clerks in the offices owing to pressure of work, he will explain why these discharges are taking place; can he state the annual cost of military administration and military supervision in this department in Ireland; and will he consider the advisability of working this department on a more economical and efficient basis as a purely civil department.

MR. HALDANE: The hon. Member is under a misapprehension in thinking that discharges of civilians employed in the Army Ordnance Department in Dublin are already taking place. It is true, however, that, in view of the requirements of mobilisation and administration, it has been decided to replace soldiers of the Army Ordnance Corps by civilians at certain stations abroad, bringing the soldiers back to home stations. This will involve the discharge of a certain number of civilian employees, but the number to be discharged at Dublin will be small. The annual cost of the Army Ordnance Department and Corps in the Irish Command is about £36,500. It would not conduce to economy or efficiency to attempt to work the Ordnance services of the Army on a purely civilian basis, as it is essential for mobilisation to maintain the strength of the military establishment and to train the soldiers of the Army Ordnance Corps in peace for the duties they would have to perform in war.

MR. JENKINS: Will this apply to the whole of the Army Ordnance Department?

MR. HALDANE: To some extent it will.

Partition of Bengal.

*MR. REES (Montgomery Boroughs): I beg to ask the Secretary of State for India whether he is aware that the Bengal Chamber of Commence desire it to be known that they have never contemplated, and are not contemplating, any deputation regarding the partition of Bengal, and that the use of their name in connection with suggested deputations against such partition is without foundation and absolutely unwarranted; and what action, if any, he intends to take in regard to this declaration.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. JOHN ELLIS, Nottinghamshire, Rushcliffe): The Secretary of State has observed a statement to the effect mentioned in the public Press. He does not propose to take any action in regard to it.

Indian Army Medical Service.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for India if he can now say how many Indian Medical Service officers had been appointed as specialists under the Indian Army Order regarding specialists' appointments in India; how many officers so appointed by the Director-General of the Indian Medical Service had received the special remuneration authorised for such appointments; and how many were natives of India.

MR. JOHN ELLIS: Up to 20th September, 1906, fifty-eight officers of the Indian Medical Service had been recognised as specialists, and fifteen of them had been posted to vacancies and drawn the allowance. Only one native of India had applied for recognition as a specialist, and he had received it. I have no later figures, but it was intended at the time mentioned that the other officers who had been recognised as specialists should (unless transferred to civil employment) be posted to appointments as soon as opportunities occurred.

Germany and the United States.

MR. BOWLES (Lambeth, Norwood): I beg to ask the Secretary of State for Foreign Affairs if any convention or arrangement has been made between the United States Government and the German Government providing that in case Germany should be engaged in war the German mercantile marine shall be taken under the United States flag; and have His Majesty's Government received any communication on the subject from the British Ambassador to the United States.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): I have received no communication of any kind on this subject. If the hon. Member has any reliable information upon it, I shall be very glad to receive a communication from him.

MR. BOWLES: Do I understand that the Foreign Office has no information on the subject of any kind whatever?

SIR EDWARD GREY: Yes, Sir. We have no information at all; from which I should infer that no such arrangement exists.

MR. ARTHUR LEE (Hampshire, Fareham): Is it not the case that no convention or international agreement of any kind with a foreign Power can be entered into by the United States Government without the public ratification of the Senate; and is it not, therefore, impossible for such an arrangement to exist without its becoming a matter of public knowledge?

SIR EDWARD GREY: The hon. Gentleman is as good an authority as I am on the Constitution of the United States, and I have no doubt he is correct. It seemed to me when the Question appeared on the Paper that it was quite impossible that any such arrangement could exist.

The Congo.

MAJOR ANSTRUTHER-GRAY: I beg to ask the Secretary of State for Foreign Affairs whether, with a view to protecting British trading interests and of possibly mitigating the evils that now prevail, he will advise His Majesty's Government to claim consular rights on the Congo under the Act of 1885.

SIR EDWARD GREY: His Majesty's Government do not propose to take any action in regard to the Congo Free State pending the result of the discussion now in progress in the Belgian Chamber. And in any event, as already stated, the first step taken by His Majesty's Government would be to consult other Powers. It is evident that action by Belgium, or united action with other Powers, would lead to a more complete and effective change of system than could be done by individual action of any Power outside Belgium separately.

The Denshawai Affray.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether, since the Denshawai incident in June last, the village of Denshawai has been deprived of its immemorial rights as a separate balad or district regulated by its own omdeh and ghafirs, a force of ghafirs being imported from Cairo for its regulation at a charge on the villagers of more than £400 a year for their salaries, and that its inhabitants are now subjected to restraints, seriously interfering with their ordinary avocations and protection of their property; and, if so, whether the British representative in Egypt will be asked to inquire into and report upon the situation thus brought about.

SIR EDWARD GREY: After the attack on the officers at Denshawai, the village was deprived of an omdeh, and was attached to the adjacent village of Abu Kullos. One sheikh, one wekil, and twenty specially selected ghafirs, recruited and equipped in Cairo, were left to take charge of the village, by the inhabitants of which they were to be paid. All the original ghafirs were dismissed, and their arms and equipment were withdrawn. I do not consider that the matter is one in which His Majesty's Government should interfere with such measures of detail which the Government of Egypt think necessary for the preservation of public security, or that it calls for a special report from Lord Cromer.

*Mr. DILLON (Mayo, E.): Is it not the fact that the ghafirs did their best to protect the British officers after the affray, and did they not when they got them into their village protect them from injury?

Sir EDWARD GREY: I cannot say from memory exactly what their action was, but it is quite clear that they did not prevent them from being assaulted, and it is impossible for His Majesty's Government after what took place to interfere with the measures taken by the Egyptian Government to preserve public security.

Persian Loan.

Sir EDWARD SASSOON (Hythe): I beg to ask the Secretary of State for Foreign Affairs whether the negotiations in connection with the projected Russo-British loan to Persia are now completed.

Sir EDWARD GREY: I am unable at present to make any statement on the subject.

In Answer to a further Question from Sir Edward Sassoon:—

Sir EDWARD GREY: It is obvious that a matter of this kind cannot be arranged without the consent of the three Governments concerned. When anything has been definitely settled it will be made known. In the meantime I can make no statement.

Income-Tax Returns.

Mr. BOWLES: I beg to ask Mr. Chancellor of the Exchequer whether the income-tax returns made by private individuals and companies are treated as entirely confidential by the Income-Tax Commissioners, or is the information contained in them available to any Cabinet Minister on demand, to the Cabinet collectively, to the officers of the Estate Duty Department, or to any and, if so, what other Government officials and departments.

The CHANCELLOR of the EXCHEQUER (Mr. Asquith, Fifeshire, E.): The Board of Inland Revenue do not consider that any use they may make of income-tax returns within their own department, and for their own official use, constitutes a disclosure of such returns within the meaning of the provisions of the law relating to secrecy in income-tax matters. Care is taken, however, that only responsible officers should have cognisance of such matters. Any request for information coming from another department, or from any of my colleagues in the Cabinet, would only be considered in the event of its being preferred through me. I have not up to the present had occasion to consider in what circumstances, if any, such a request could be complied with.

Income-Tax on Monetary Prizes.

Mr. WILLIAM REDMOND: I beg to ask Mr. Chancellor of the Exchequer in how many cases income-tax has been deducted from monetary prizes in the form of single non-recurrent payments, offered for competition in the public services, between the years 1895 and 1905 inclusive.

Mr. ASQUITH: The Board of Inland Revenue have no record of such cases. The deduction, when made, would be made by the Department making the payment. If there is any particular case in which a question arises whether the tax is properly deductible or not, I shall be happy to have it looked into.

Probate Duties.

Mr. SEARS (Cheltenham): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that, in the case of the estate valued for purposes of probate at £132,300 in 1898, or less than one-third its true value, the sum of £450,000 at which the concern was floated in 1900 was based on the actual value at the time of death, and on the profits for three years prior to death; whether he is aware that the property in question was an old-established business not liable to violent fluctuations as suggested by the Board of Inland Revenue, and that the profits prior to death showed a steady upward tendency; whether, in view of these facts, and of the statement made by the Board that all the facts were fully disclosed at the time of death, he will say who was responsible for passing the assessment of this property at less than one-third its value, and the consequent loss to the Treasury of over £20,000; will he explain the statement made by the Board that the prospectus of the company is not before them, seeing that it was published in all the leading Dublin newspapers, and should have been well-known to their local officials; and will he say whether the Board requires its officials to acquaint themselves with the contents of prospectuses of new public companies, with a view to a comparison of their statements with the Returns made to the Board for the purpose of income-tax or probate, as the case may be.

Mr. ASQUITH: I have nothing to add to the replies which I have already given to my hon. friend on the subject of this estate, except that I do not accept his view that it was undervalued for estate duty purposes in 1898. The value of £132,300 was five years purchase of the average annual income, a rather high valuation, regard being had to the nature of the business. The statement that "the prospectus is not before the Board of Inland Revenue" means that it is not upon the Department's files. I have no doubt that at the time of its issue in 1900 it was known to the estate duty officials. Such prospectuses are examined by those officers as part of their ordinary duty.

Board of Inland Revenue—Alleged Refusal of Information.

Mr. SEARS: I beg to ask Mr. Chancellor of the Exchequer whether his attention has been drawn to the practice which has grown up on the part of the Board of Inland Revenue of refusing to give information to this House relating to the work of their department, on the alleged grounds that such information would take considerable time and trouble to prepare and is not of sufficient public interest; is he aware that information is refused when actually in the possession of the Board and when it has a bearing on subjects of importance, as for instance the assessment and collection of taxes, and is intended to show the unsatisfactory nature of the present system and the need for reform, and when such information is regarded by the Board itself as of sufficient importance to be collected for their own use; can he explain the reluctance of the Board to give information to this House concerning the work of their department; and will he take steps to secure that such information shall not be withheld when it is desired in the public interest, and necessary for the use of Members sent to this House to enable them properly to discharge their responsibilities.

Mr. ASQUITH: I am not aware of any case in which information asked for by the House has been refused. If my hon. friend is referring to replies given by Ministers to Questions asked by individual Members, I can only say that, for my own part, I regard it as my duty, where such inquiries will involve expenditure of time and labour in a department for which I am responsible, to consider, before agreeing to obtain the information, whether the facts which it is desired to elicit are of sufficient public interest to justify the investigation being undertaken. When I am satisfied that this is the case, I should never sanction the withholding of information.

Income-Tax Repayment.

Mr. SEARS: I beg to ask Mr. Chancellor of the Exchequer whether the opinion of the Departmental Committee on Income-Tax, 1904–5, in favour of continuing the present practice of employing eight different officials at Somerset House, in addition to the Surveyor of Taxes and his staff, on each claim for repayment of income-tax, even when such claim amounts only to a few shillings, is based solely on the evidence of the head of the Repayment Branch at Somerset House, who may be regarded as an interested witness; whether he is aware that no independent evidence was taken such as that of a surveyor of taxes, a collector of Inland Revenue, or of any other revenue officer conversant with the view of the outdoor staff in actual contact with the practical work of investigating the *bona fides* of the claims and certifying thereto; and will he say whether the Government will take steps to obtain such independent evidence and make a full inquiry into this matter before forming an opinion as to the wisdom of maintaining a costly establishment which is only engaged on routine duties and on apparently useless and unnecessary work.

MR. ASQUITH: The Departmental Committee, of which the late Lord Ritchie was Chairman, was a very strong one, and I am not disposed in this matter to go behind either their procedure or their conclusions. The Committee included the Chief Inspector of Taxes, an ex-surveyor of experience, who both heard the evidence and signed the Report.

Lieutenant Paton's Case.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary of State for the Home Department if his attention has been called to the case of Lieutenant Paton, who was charged at Windsor on Saturday, December 1st, before the Berkshire magistrates, with the manslaughter of Mr. Hart, who died from injuries caused by a motor-car driven by the defendant at Windlesham, on October 23rd last, in which case several witnesses spoke to the car having been driven at a speed estimated at between forty and fifty miles an hour, and in which the magistrates, without calling on the defence, dismissed the charge; and whether, in view of the evidence that the defendant was travelling beyond the statutory limit of twenty miles an hour, he will state if he proposes to take any further action to protect the lives of persons using the highways.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland): My right hon. friend has no official information on that matter. In Answer to the Question on the Paper, my right hon. friend has so far only seen a newspaper report of the proceedings, but he is making further inquiries.

MR. T. L. CORBETT: Is the hon. Gentleman aware that this offence of driving over the speed limit is becoming very common, and that the hon. Member who put this Question was himself recently fined for such an offence?

Unemployed Fund.

MR. CLYNES (Manchester, N.E): On behalf of the hon. Member for South West Ham, I beg to ask the President of the Local Government Board what amount of money has been allocated to the distress committees of the various boroughs out of the £200,000 set aside for the relief of the unemployed.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): Payments amounting to about £25,000 have been made out of the grant by way of instalment up to the present time to the Central (Unemployed) Body for London and to distress comittees in other parts of England and Wales. Further payments are being made.

London Rates.

MR. CLAUDE HAY: I beg to ask the President of the Local Government Board whether his attention has been called to the fact mentioned in the Report of his department, just issued, that the rates of the administrative county of London averaged 6s. 9·7d. in the pound, and those of the rest of England and Wales 5s. 6d. in the pound, yet the Government grants to the administrative county of London only equal 12·9d. in the pound, while those to the rest of England and Wales average 21d.; and what steps are being taken to remedy this inequality.

MR. JOHN BURNS: I am aware of the facts referred to in the Question. I may, however, point out that the grants in London are equivalent to 9s. 7d. per head of population, whilst in the rest of England and Wales they are only equivalent to 9s. 4d. It would seem impracticable to effect any general alteration in the basis of the distribution of the grants except in connection with a scheme for the readjustment of local taxation, for which purpose legislation would of course be required.

Canadian Emigration Bonuses.

MR. HAROLD COX (Preston); I beg to ask the President of the Local Government Board whether his attention has been called to the offer made by the Canadian Government to pay a bonus of £1 a head to each person over eighteen booked for Canada of the following classes, farmers, farm labourers, gardeners, stablemen, carters, railway service men, navvies, miners, and female domestic servants, and to pay a bonus of 10s. a head for each person between one and eighteen years of age; and whether he will bring this offer to the notice of the boards of guardians and distress committees throughout the country.

MR. JOHN BURNS: I have seen a circular which appears to have been issued from the Immigration Branch of the Department of the Interior at Ottawa to the steamship booking agents in this country, from which I gather that the bonuses to which I presume my hon. friend refers are offered to these agents. It does not seem to be necessary to make this offer known to boards of guardians and distress committees.

Motor Car Speeds at Newmarket.

MR. CATHCART WASON: I beg to ask the President of the Local Government Board if the Local Government Board has sanctioned the application of the local authority to give a speed limit for motor cars at Newmarket, and if generally, with regard to applications of local authorities, he is aware that the late President of the Local Government Board, the right hon. Gentleman the Member for South Dublin, stated in the Committee stage of the Motor Car Act, 1903, that to say what the speed of motor cars should be in scores of places throughout the country was a duty the Local Government Board could not possibly undertake; and, just before that, the regulations would have to be made by the local authorities which would have knowledge of the districts; that they might safely leave the matter to the local authorities.

MR. JOHN BURNS: A local inquiry was held last week with respect to the Newmarket case, and I have not at present received the report which the inspector will make on the subject. I have seen the report in *Hansard* of the observations of the right hon. Gentleman the Member for South Dublin in the debate referred to. I gather that he was then urging that it should not be made the duty of the Local Government Board to make regulations fixing varying rates of speed in different places.

Meals for School Children.

DR. MACNAMARA (Camberwell, N.): I beg to ask the President of the Local Government Board whether he can now make any statement as to the working generally of the Local Government Board Order of May, 1905, respecting the co-operation of boards of guardians in the work of providing food for children in attendance at public elementary schools suffering from lack of food.

MR. JOHN BURNS: I would refer my hon. friend to the Answer which I gave to a similar Question on the 31st July last.† I do not think I can add anything to the information then given.

Tuberculous Cows in Markets.

MR. SCOTT (Ashton-under-Lyne): I beg to ask the President of the Local Government Board whether the Local Government Board has been officially informed that cows in an advanced stage of tuberculosis are frequently being sold for food, at prices varying from 10s. to £2, at an open country town market within 50 miles of London; whether, if so, he has had these official reports investigated; and if they have been found substantially correct, whether he will take measures, by legislation if necessary, to prevent such a practice in the future.

MR. JOHN BURNS: A copy of a letter signed "Medical Officer of Health" which appeared in the *Morning Post*, and which contained allegations of the kind mentioned in the Question, has been sent to the Local Government Board, but the name of the place at which the market referred to in the letter was held was not stated. Other representations of a similar kind have reached me, and I have taken note of them for consideration when the time comes for dealing with the subject by legislation. I am not, however, in a position to promise legislation with regard to this matter at the present time.

Gwespyr Council School.

*MR. MASSIE (Wiltshire, Cricklade): I beg to ask the President of the Board of Education whether an inquiry, relating to the proposed provision of a new council school, is to be held at Gwespyr, Flintshire, on Saturday next; whether he is aware that some tenants of the Talacre Estate, living near Gwespyr, have received notice to quit, that others have had their rents raised, while others have been evicted from their holdings; and whether care will be taken at the forthcoming inquiry that the provisions of The Witnesses (Public Inquiries) Protection Act, 1892, will be read by the Commissioner appointed to hold the inquiry.

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† See (4) *Debates*, clxii., 679.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): The investigation which I had arranged to be held on Saturday next in regard to the school named in the Question is merely into the question of the size and site of the new council school which the Board have decided must be erected, and the point had seemed so small that a public inquiry, in the technical sense of this term, had not seemed to be necessary. In view however of the difficulties which have arisen in regard to the case, and in particular of the allegations as to undue pressure which are contained in the hon. Member's Question, I have arranged that a full public inquiry under Section 23 (10) of the Act of 1902 shall be held. This will necessitate posponement of the inquiry till Saturday, December 15th, in order that the statutory seven days notice may be given. The fact that the inquiry will then be in the technical sense a public inquiry will bring it within the provisions of The Witnesses (Public Inquiries) Protection Act, 1892, and I have instructed the official to draw the attention of those present at the inquiry to the provisions of that Act.

*MR. MASSIE: Is the right hon. Gentleman aware that a letter (a copy of which I hold in my hand) has been sent round to the Gwespyr cottagers by the agent, stating that the landlord intends to reserve his Gwespyr cottages for those who are willing to send their children to his school?

MR. BIRRELL: I have seen the letter. I do not know whether it has been sent. It would not be within the Act.

Government Offices—Window Cleaning Contract.

MR. O'GRADY: I beg to ask the First Commissioner of Works whether he is aware that the contractor for cleaning windows of the several Government offices, and drawing £100 per month besides his weekly wage for this work, is employing forty men and paying them 6½d. per hour, while the trade union rate for window cleaning is 7d. per hour; and, if so, what steps he intends taking in the matter.

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale): I do not understand the first part of the hon. Member's Question. Our arrangement with the contractor is to pay him for the work by measurement of the area of glass cleaned. There is no question of a weekly wage to him. I am informed that thirty-eight of the men employed are receiving 7d. per hour or over; nineteen are on the lower scale, but of these eighteen are youths or learners who are not yet fully skilled, and one is an old man who is kept on for charitable and kindly reasons.

Gloucestershire Inclosures Return.

MR. ESSEX (Gloucestershire, Cirencester): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, when the Return relating to Inclosures (County of Gloucester) will be ready.

MR. JOSEPH A. PEASE (Essex, Saffron Walden: The Return in question was presented on November 22nd, and it is now in the hands of the printer. I hope that it will be issued very shortly.

National Gallery.

MR. CHIOZZA MONEY (Paddington, N.): I beg to ask the Secretary to the Treasury whether he is aware that six trading firms display advertisements within the walls of the National Gallery; that the area occupied by these advertisements is the greater part of the wall space of the entrance hall, or many hundreds of square feet; that one of the firms has, in addition to wall space, a stall, twelve feet long and three feet wide, where photographs are sold by an attendant, who is not a public servant; that another firm is allowed to place a pile of advertisement cards on a counter; will he say whether any rent is paid for these privileges; and whether, with a view to improving the general arrangement of the entrance and ground floor corridor of the Gallery, he will represent to the trustees that the wall space of a public picture gallery should be entirely devoted to the artistic purposes of the gallery.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. MCKENNA, Monmouthshire, N.): I am informed that the statements contained in the Question are correct, and that at present no rent is being charged. The subject is being carefully considered by the trustees, and I will communicate their conclusions to my hon. friend as soon as I receive them.

Government Service—Retirement Regulations.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Secretary to the Treasury at what age the non-pensionable workmen in the employ of the various State Departments are called upon to retire; and what classes of such workmen receive gratuities on retirement.

MR. MCKENNA: No uniform age is prescribed for the retirement of non-pensionable workmen. Each Department makes its own arrangements on the subject. Such workmen receive gratuities on retirement if they fulfil the conditions laid down by Section 4 of the Superannuation Act of 1887.

Somerset House Clerks.

SIR G. KEKEWICH (Exeter): I beg to ask the Secretary to the Treasury how many assistant clerks, new class, employed in the Secretary's office and Accountant-General's office at Somerset House have been promoted to the second division under the provisions of the Order in Council of 29th November, 1898.

MR. MCKENNA: I am informed that the Answer to my hon. friend's Question is as follows: in the Secretaries' office, four; in the Accountant-General's office, three.

Sir James Woodhouse.

MR. VICTOR CAVENDISH (Derbyshire, W.): I beg to ask the Secretary to the Treasury whether, as in other cases not falling under the provision of the Order in Council, the Treasury have made any, and if so, what conditions as to the age at which Sir James Woodhouse will undertake to retire from the office of Railway Commissioner.

MR. MCKENNA: No conditions have been made as to the age at which the holder should retire. I may add that no pension attaches to the office.

Receiver of Crown Rents.

MR. H. H. MARKS (Kent, Thanet): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether a new receiver of crown rents has been appointed; if so, what remuneration is to be paid to him, and how does it compare with that paid to his predecessor; and has any change been made in the duties of the office.

MR. MCKENNA: The arrangements for the future management of the Crown lands are still under consideration.

Cost of Granting Returns.

MR. BOWLES: I beg to ask the First Lord of the Treasury whether it is proposed to carry out in practice the suggestion made in paragraph 31 of the recent Report of the Select Committee on Official Publications that, before agreeing to grant a Return, the Minister responsible should consult the Stationery Office as to its proposed form, and that, when agreeing to grant a Return, he should state to the House the probable cost of its preparation and printing.

MR. MCKENNA: The Report of the Select Committee is under consideration, and no statement can be made on the subject at present.

Tiree Steamer Services.

MAJOR ANSTRUTHER-GRAY: I beg to ask the Secretary for Scotland whether his attention has been called to the condition of the mail and passenger service to Tiree, and to the fact that, although a steamer is timed to bring mails and passengers three times weekly, none were landed between the 19th and 26th November, owing to the exposed position of the landing place at Scarinish, although by going a mile further a landing could be effected in calm water at the Bay of Gott; and whether he will take the necessary steps to improve these conditions, which handicap the trade, enterprise, and prosperity of the inhabitants of this island.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): I find that I must ask the hon. Gentleman to be good enough to address this Question, as it relates to the mail service, to the Postmaster-General on some later day.

Irish County Surveyors.

MR. VINCENT KENNEDY: I beg to ask the Secretary to the Treasury if he will state what is the necessary qualification for candidates seeking the position of principal and assistant county surveyors in Ireland; when will the next examination be held; are the results of these examinations published; is any nomination necessary; if so, by whom; and, if any differences exist between the system of making these appointments in England and Ireland, will he have them removed.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): My hon. friend has asked me to answer this Question. County surveyors in Ireland are appointed by county councils, with the statutory concurrence of the Local Government Board, after examination by the Civil Service Commissioners. The nomination of candidates rests with the county councils, to whom the result of the examination is notified. Assistant county surveyors are also appointed by county councils, subject to the statutory concurrence of the Local Government Board, who prescribe the qualifications. A person who possesses a certain prescribed engineering degree, diploma, or certificate is deemed to be qualified without examination. Any other person undergoes a qualifying examination conducted by the Board. It is expected that an examination for county surveyors will be held very shortly, and for assistant county surveyors early next year. I have sent to the hon. Member printed Papers setting forth the subjects of examination and other particulars which are too long to be stated in reply to a Question. I have no information as to the method of making appointments in England beyond that contained in the Answer of my right hon. friend the President of the Local Government Board to the hon. Member's Question of 26th November.†

MR. VINCENT KENNEDY asked if the practice in England was analogous to that in Ireland?

MR. BRYCE said he gathered that it was not.

Leahy Estate, Cahirciveen.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants on the J. W. Leahy Estate, at Aghatubrid, near Cahirciveen, who signed purchase agreements under threat of legal proceedings by the landlord, have been notified by the Estates Commissioners that they will not declare it an estate for the purposes of the Act; and whether, in view of the fact that the tenants are now free to open negotiations *de novo* for the purchase of their holdings, and have sent a memorial to the Estates Commissioners asking them to purchase the estate, and have expressed their willingness to abide by the valuation of the Commissioners, by whom the estate was inspected last July, he will ask the Commissioners to undertake the purchase of this estate.

MR. BRYCE: The Estates Commissioners inform me that it is the case that they have refused to declare the lands comprised in the purchase agreements in question to be an estate for the purposes of the Act. The Commissioners, however, have expressed their willingness to make an offer for the purchase of the lands, provided that the vendor shall signify his consent to sell the estate to them under Section 6 of the Act. The negotiations have not yet concluded.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants on the J. W. Leahy Estate at Ballycarberry, near Cahirciveen, have memorialised the Estates Commissioners with a view to the purchase of their holdings; and whether the question of this purchase will be considered by the Commissioners at the same time as the purchase of the rest of the estate at Aghatubrid.

MR. BRYCE: The Estates Commissioners inform me that they have received a memorial from the tenants on the

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† See (4) *Debates*, clxv., 1244.

Ballycarbery portion of the estate of Mr. J. W. Leahy. The matter of this memorial will be duly inquired into by the inspector when he visits the other portion of the estate which the Commissioners have offered to purchase.

Vandeleur Estate, West Clare.

MR. HALPIN (Clare, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will inquire of the Estates Commissioners what steps they have taken to reinstate the evicted tenants on the Vandeleur Estate in West Clare; whether the Estates Commissioners' inspector and Mr. Vandeleur's agent visited the evicted farms; whether Mr. Vandeleur also sent a valuer to examine the holdings; and will the Estates Commissioners have these evicted tenants reinstated as soon as possible.

MR. BRYCE: The Estates Commissioners inform me that they have had an inspection made of all the evicted tenants' holdings on the estate of Mr. H. S. Vandeleur, and have communicated to the owner the estimated price which they are prepared to offer. The owner has expressed his willingness to accept the estimated price, and is taking the steps necessary to bring the estate before the Commissioners, in accordance with the rules and regulations issued by them.

Grading Butter.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the estimated annual cost of instituting in Ireland a system of grading butter; and what would be the relative proportion to be borne by the Department of Agriculture and the butter exporters.

MR. BRYCE: The Department of Agriculture are not at present in a position to give any reliable estimate of the annual cost of instituting in Ireland a system of grading butter. They are of opinion, however, that the cost would probably amount to a sum largely in excess of any revenue which would be obtained.

Maconcoy Estate, Longford.

MR. J. P. FARRELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any complaint has reached the Estates Commissioners from Thomas Duffy, of Lagga, Moyne, county Longford, who purchased his farm on the Maconchy Estate in 1904; whether he is aware that this man's rent previous to purchase was £13 17s. 6d., out of which he got an annual allowance of £3 0s. 10d. for maintaining a passway for other tenants on the property; whether this allowance has now been stopped, with the result that his purchase instalments now amount to more than his previous net annual rent, although he has no turbary and is an acre short in his measurement; and will an inspector be sent to inquire into this man's case and have justice done to him.

MR. BRYCE: The Estates Commissioners inform me that they have received a communication from Thomas Duffy to the effect mentioned in the Question. The Commissioners have no present knowledge of the facts, but will have the matter inquired into.

Cloncurry Estate.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland can he say how many future tenants, owing to eviction and e-admittance, the non-redemptions after service of caretaker's notices, and other such causes, are in East Limerick; and how many are on the Cloncurry property in the parish of Murroe; and can he hold forth any hope of redress to them by ameliorating legislation in the near future.

MR. BRYCE: The Land Commission inform me that they have no records whatever as to the number of future tenants in East Limerick or elsewhere. Upon the subject of possible legislation in regard to future tenants, I would refer to the Answer given by my right hon. friend the Attorney-General for Ireland to the Question of the hon. Member for North Westmeath on 7th March last.†

Stafford Delmege Estate.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland is he aware that for some time past negotiations for sale to the tenants have been in progress on the Stafford Delmege property around Glenbrohane and Garryspillane, in the county Limerick, that on the Glenbrohane side there have been established later than January 1st, 1901, two tenancies which in purchase will run beyond the statutory limit of £500, and on the Garryspillane side it is sought to establish another tenancy which could not be bought at less than £1,000, the number of acres being 145; can he say whether these sales will be sanctioned by the Land Commission, or will these difficulties militate against the sale of the entire estate; and will the Estates Commissioners, when the opportunity presents itself, purchase the untenanted lands on the estate for the benefit of the labourers and the tenants on uneconomic holdings.

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† See (4) *Debates*, cliii., 742.

MR. BRYCE: The Estates Commissioners inform me that they have received an originating application asking them to declare the lands of Mr. Stafford Delmege of Glenbrohane and Garryspillane to be an estate for the purposes of the Act, but no purchase agreements have yet been lodged. Before declaring the lands to be an estate or receiving purchase agreements the Commissioners will carefully inquire into the facts and, in dealing with the matter, will have due regard to the provisions of the law. The Commissioners are always ready to acquire untenanted land for the purposes of the Act, but they are not at present able to state what they may do in regard to this particular estate.

School Teachers' Increments.

MR. MURPHY (Kerry, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland can he say how many of the Irish national teachers have got partial increments with promotion since March 31st, 1906.

MR. BRYCE: The Commissioners of National Education inform me that the practice of giving a partial increment followed by immediate promotion has been discontinued, and no teacher has been advanced in this way since March 31st, 1906.

Portarlington Drunkenness Charge.

MR. DELANY (Queen's County, Ossory): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Vesey Fitzgerald, R.M., Portarlington, ordered a police constable, named Roberts, to arrest a farmer, whom he alleged obstructed him on the road, on a charge of drunkenness; whether he is aware that the constable, after walking the man up and down the road, refused, upon conscientious grounds, to make the arrest, and has since been transferred to another station under censure; and, in view of the fact that Mr. Fitzgerald has on a previous occasion been fined £1 for obstructing two ladies on the public highway, will he say what course the Irish Government propose taking in this matter.

MR. BRYCE: I am informed that a civil action for damages in respect of the circumstance alleged in the first part of the Question has been instituted against the resident magistrate by Mr. Wyer, the farmer referred to. While that action is *sub judice*, it would be highly undesirable that I should make any statement whatever upon the subject, which might have the effect of prejudicing the hearing of the action.

Collum Minors Estate, Longford.

MR. J. P. FARRELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any steps have been or are about being taken by the Estates Commissioners for the purchase of the Collum Minors Estate, Newtown Cashel, county Longford; and, if so, will care be taken that of the fifteen evicted tenants whose derelict farms are on this property none will be exempted from reinstatement in their old holdings.

MR. BRYCE: The Estates Commissioners inform me that no proceedings for the sale of the estate mentioned have been instituted before them. The application, received from the evicted tenants will be inquired into and dealt with in due course.

Adare Evicted Tenant.

MR. LUNDON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether the Earl of Dunraven or his agent, Mr. Peter Fitzgerald, have as yet reinstated in his holding Mr. Thomas Drew, near Adare, or have the Estates Commissioners taken the matter in hand, and, if so, how far have they progressed in the way of restoration.

Mr. BRYCE: I stated in reply to the hon. Member's Question of 8th November † that the Estates Commissioners had received no application for reinstatement from Thomas Drew. The Commissioners now inform me that they have still received no application from him, and they have, therefore, taken no steps in the matter. They have no knowledge as to whether Drew has been reinstated by the landlord.

Rathkenny Evicted Tenants.

Mr. PATRICK WHITE (Meath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether and upon what date an inspector from the office of the Estates Commissioners visited a farm from which a tenant named Gore was evicted, situate at Mount Iress, Rathkenny, Slane, county Meath, the property of Mr. Balfour, Townley Hall, Drogheda; if he has yet made his report; and what was the cause of the delay.

Mr. BRYCE: The Estates Commissioners inform me that they have received an application for reinstatement from James Gore, and have referred it, with others of a similar nature, to an inspector for inquiry and report. The inspector's report has not yet been received, and the Commissioners are not aware whether the farm has yet been visited by him. The delay is due to the fact that a very large number of these applications have to be inquired into.

Colonel Lyster Smythe's Meath Estate.

Mr. PATRICK WHITE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have written, and, if so, how often, to Colonel Lyster Smythe asking him if he would sell to them his estate situate at Notter, county Meath, for the purpose of re-sale to the tenants and reinstatement of an evicted tenant; and what replies they received.

Mr. BRYCE: The Estates Commissioners inform me that according to the Return of untenanted land presented to Parliament Colonel Lyster Smythe is not the owner of any untenanted land in county Meath. The Commissioners have, therefore, had no communication with him on the subject, but they will now inquire from him whether it is a fact that he owns untenanted land at Notter.

Mr. Hussey's Rathkenny Estate.

Mr. PATRICK WHITE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the estate of the late H. G. Hussey, Rathkenny, Slane, county Meath, has been sold to the tenants, and if the Estates Commissioners will purchase the untenanted portion for distribution among the labourers and occupiers of uneconomic holdings in the district.

Mr. BRYCE: The Estates Commissioners inform me that the originating application lodged in respect of the estate referred to comprises, in addition to the tenanted land, some 200 acres of untenanted land which the vendor proposes to sell as parcels under Section 2 of the Act. The originating application has not yet been ruled on by the Commissioners.

Dublin County Evicted Tenants.

Mr. CLANCY (Dublin County, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to a resolution passed by the North Dublin Rural District Council, at its meeting on November 28th, in which complaint is made that, while evicted tenants in Dublin county are still unprovided with holdings, evicted and other tenants from other parts of Ireland have had holdings found for them in that county; what is the total number of evicted tenants belonging to Dublin county of whom the Estates Commissioners have a record, and how many of that number have been put back on the land as purchasers; and whether he proposes to take any action in reference to the resolution of the North Dublin District Council.

Mr. BRYCE: I have seen a copy of the resolution referred to. The Estates Commissioners inform me that fifty-one applications have been received from persons who state that they were evicted from holdings situate in county Dublin. So far two of the applicants have been provided with holdings on untenanted land acquired by the Commissioners. Such of the other cases as may be found on investigation to come within the provisions of the Act, and are approved by the Commissioners, will be dealt with as soon as possible. The matter is within the discretion of the Estates Commissioners under the provisions of the Act.

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† See (4) *Debates*, clxiv., 755.

Overflow of the River Inny.

MR. J. P. FARRELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the townlands of Sleehaun-Sankey, Corraboola, Foxhall, Ballymaclifford, Rockpeyten, Clygeen, and Smithfield, in county Longford, are constantly flooded owing to the overflow of the tributary river, which drains these townlands, into the River Inny; whether he is aware that the outfall of the Inny at or near Ballymahon has been choked for years for want of proper draining and fencing; and will he ask the Board of Works to direct the formation of a district drainage board to get this work properly done.

MR. MCKENNA: I learn from the Board of Works that they have no information on the facts stated in the Question. If, however, the hon. Member will be good enough to refer to the Answer which I gave to the hon. Member for East Cavan on the 15th ultimo he will find that the Board of Works have no power to take the course which he suggests. †

Irish Board of Agriculture Accounts.

MR. MOONEY (Newry): I beg to ask the Secretary to the Treasury what is the practice followed by the Auditor-General and Comptroller of Accounts in connection with the accounts of the Board of Agriculture and Technical Instruction, Ireland, are these accounts submitted to the Auditor-General each year for audit with vouchers and receipts for all payments made and moneys received, with certificates of stock alleged to be held, giving details of cost of such securities, or whether the Board are only called upon to submit a general statement, the accuracy of which is not proved in the usual way by the production of receipts, vouchers, and certificates; and, if this latter course is followed, will he state where such vouchers may be inspected.

MR. MCKENNA: The accounts and vouchers of the Department of Agriculture and Technical Instruction are submitted monthly to the Comptroller and Auditor-General and are audited in detail, including verification of stocks. The accounts and the Comptroller and Auditor-General's Report thereon are included in the volume of Civil Service and Revenue Appropriation Accounts annually laid before Parliament.

MR. MOONEY: Does the Auditor-General exercise the same close scrutiny over details in this case as in the case of other Departments?

MR. MCKENNA: I have read the reply furnished me.

MR. DILLON: The point of the Question is whether these accounts are audited in detail.

MR. MCKENNA: I understand that they are, but the auditor is not the servant of the Treasury.

MR. MOONEY: If not satisfied on details would the Auditor-General refer them back or does he pass the accounts without explanation?

MR. MCKENNA: He reports back to the Public Accounts Committee, and it is for that body to comment on the facts.

MR. MOONEY: I hope the hon. Gentleman will read the Auditor-General's Report in this case.

Tobacco Cultivation in Ireland.

MR. WILLIAM REDMOND: I beg to ask Mr. Chancellor of the Exchequer whether, in considering the advisability of extending the area allowed for tobacco cultivation in Ireland, he will draw the attention of the Treasury to the fact that a memorial in favour of tobacco growing in Ireland has been signed by every Member representing an Irish constituency and forwarded to the Prime Minister.

MR. ASQUITH: The First Lord of the Treasury has sent the memorial to me, and it shall not fail to have due consideration.

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† See (4) *Debates*, clxv., 125.

Mr. WILLIAM REDMOND: May I ask the Prime Minister whether he can hold out any hope of such a proposal for early next session, because I really think we could get it through the House of Lords?

The PRIME MINISTER and FIRST LORD of the TREASURY (Sir H. Campbell-Bannerman, Stirling Burghs): I do not know whether the hon. Gentleman considers that much in its favour. The hon. Gentleman applies to me, and all I have to say is that, having had forwarded to me a memorial signed by every Irish Member—a formidable fact —and as, I am thankful to say, it did not fall within the scope of my immediate duties, I handed on the memorial to the Chancellor of the Exchequer, and we must hear what he has to say to it.

Mr. WILLIAM REDMOND hoped the right hon. Gentlemen would settle the matter between them.

Ireland and the Milan Exhibition.

Mr. HALPIN: I beg to ask the Secretary to the Treasury whether he will state, in connection with the Milan International Exhibition, on what group jury Admiral C. P. Fitzgerald served, and what his qualifications were; if Mr. J. Sebastian Barnett, the other Irish juror, is connected with any trade interests, British or Irish; and why Dr. Yoshioka, the Japanese fishery expert, was permitted to serve as a British juror, considering that British and Irish experts were available; will he say if the names of the merchants and manufacturers in such cities as Cork, Limerick, and Waterford, and industrial centres as Wexford, will be given who were approached by the Commission with a view to their participating at Milan, and if the name of the exhibition agents who were authorised to get a representative Irish exhibit will be given; will he explain why a special Commissioner was not appointed for Ireland to deal with the matter instead of giving the concession for speculative purposes to a private firm, and if a return will be given as to the fees paid to each juror for serving at Milan; whether he will state if the Government, before giving further grants for exhibition purposes, will take steps when Commissions are being organised to see that the science, arts, and industries, and trade interests shall be represented by Commissioners who are competent; whether the rules governing the system of awards will be published after each Commission is organised, and no jurors will be nominated unless they are experts, and endorsed by the industries to which they belong, and that no foreigner will be allowed to represent British or Irish industries as Commissioners or jurors at future exhibitions, and that, for the protection of British and Irish industries, the expenses of jurors shall be provided for by each Commission.

Mr. McKENNA: Perhaps the hon. Member will allow me to circulate the Answer, which is quite as long as the Question, with the Votes. †

Mr. WILLIAM REDMOND: What about the supplementary Questions we may have on it?

Mr. McKENNA: I will read it if the House wishes.

Mr. HALPIN: I object to not having it read. The public ought to know the Answer.

[The Answer was not read.]

Local Expenditure and Debt.

Mr. BOWLES: I beg to ask the First Lord of the Treasury whether His Majesty's Government has now come to any decision with regard to the suggestion that immediately after the Chancellor of the Exchequer has made his Budget Statement of the National Expenditure and Debt for the year, the President of the Local Government Board should make a further statement of the expenditure and debt of local authorities for the same year; and, if so, can he now state that decision to the House.

Sir H. CAMPBELL-BANNERMAN: I do not see that any useful purpose would be served by adopting the hon. Member's suggestion. Local finance is not a matter for which this House, or the Government, are reponsible, and a supplementary Budget statement of the kind could hardly fail to have a misleading effect on the public mind. That is my personal opinion, but I may add that the scheme is impracticable. The local financial year ends on 31st March, and it would obviously be impossible for my right hon. friend to make a statement in April of the expenditure and debt of local authorities for the preceding twelve months, seeing that it takes many months for the collection and tabulation of these figures.

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† See Col. 1155.

Brussels Sugar Convention.

MR. ESSEX (Gloucestershire, Cirencester): I beg to ask the Prime Minister whether the British Government intend to renew its adhesion to the Brussels Sugar Convention on the expiry of its present term.

SIR H. CAMPBELL-BANNERMAN: No opportunity for giving twelve months notice of withdrawal from the Brussels Sugar Convention will arise until next autumn. In these circumstances I have nothing to add to the declaration made by His Majesty's Government during the debate on this question.

Election Meetings in Schoolrooms.

MR. ESSEX: I beg to ask the Prime Minister whether it is the intention of the Government to proceed during the present session with the remaining stages of the Elections (Meetings in Schoolrooms) Bill [Lords].

SIR H. CAMPBELL-BANNERMAN: I am afraid that there will be no opportunity of passing the Bill this session.

British Indians in the Transvaal.

MR. RIDSDALE (Brighton): I beg to ask the Prime Minister whether, in the Constitution about to be granted to the Transvaal, provision will be taken to safeguard the position of His Majesty's Indian subjects already resident therein.

SIR H. CAMPBELL-BANNERMAN: The pledge given by His Majesty's Government in the statement made to Parliament on 31st July will, of course, be redeemed.

Election Expenses.

MR. GODFREY BARING (Isle of Wight): I beg to ask the Prime Minister whether his attention has been called to a Return recently presented to Parliament in which the total amount of the expenses of candidates at the last general election is returned at £1,166,858, exclusive of expenses of uncontested elections, whether he is aware that the average cost per vote polled at the last general election, exclusive of expenses of uncontested elections, was 4s. 1¼d.; and whether, having regard to these facts, and having regard to the Resolution unanimously passed by the House on the 6th March last,† he can hold out some hope that His Majesty's Government will, at an early date, introduce legislation to give effect to that Resolution.

SIR H. CAMPBELL-BANNERMAN: His Majesty's Government are fully alive to the evils of the present systems of defraying election expenses, It is, I think, a most objectionable system, and, as my hon. friend reminds me, the House of Commons has passed a unanimous Resolution calling for a change in the law. But I am not in a position now to say the precise time when we anticipate undertaking legislation for the purpose.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London) asked the Prime Minister what would be the course of business next week. He expressed the hope that the debate on the Education (Provision of Meals) Bill would not be continued until a late hour to-morrow. It would be a great inconvenience to many hon. Members who took great interest in the subject if they were obliged to sit much after the ordinary time.

SIR H. CAMPBELL-BANNERMAN said the Government hoped the Provision of Meals Bill would be passed to-morrow without any great delay. He was afraid if this hope was not realised the probability of the Bill passing at all would be endangered. There was, of course always the alternative of a Saturday sitting, but he admitted that that was inconvenient. As to next week, on Monday they would begin to consider the Education Bill in its new shape. He was afraid that involved a thick veil which obscured from his vision, at all events, the progress of business during one or two days after Monday. At that moment they did not know the precise nature of the Bill which was to come to them, and, therefore, they could not form an estimate of the length of time which its discussion would take.

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† See (4) *Debates*, cliii., 408.

MR. A. J. BALFOUR said the principle of the Provision of Meals Bill was a novel and very important one, and he did not think it would be desirable in the interests of general legislation that it should be discussed at an hour which was notoriously inconvenient to hon. Members.

SIR H. CAMPBELL-BANNERMAN said he was afraid the conditions under which they carried on business at this time of the year were always inconvenient, but he really hoped that the Government's expections would be realised. The right hon. Gentleman said that the Bill raised new principles. Well, that was always the way with a Bill which a good many people did not like and wished to get rid of by elaborate discussions. He hoped it was not so in this case.

MR. HAROLD COX: Can the right hon. Gentleman say how long the House is likely to sit to-morrow to discuss the Bill?

SIR H. CAMPBELL-BANNERMAN: That is very much in the hands of my hon. friend.

SIR BRAMPTON GURDON (Norfolk, N.) asked if the Burials Bill was one of those urgently needed to be passed?

AN HON. MEMBER inquired when the National Gallery (Scotland) Bill, the only measure this year applicable to Scotland, was to be taken?

SIR H. CAMPBELL-BANNERMAN said the latter Bill must pass this session. He would, however, make a further statement as to business to-morrow.

MARINE INSURANCE BILL [LORDS].

Lords reasons for disagreeing to certain of the Amendments made by this House to the Bill, and Lords Amendments to the Bill in lieu thereof, and Lords Amendments to certain of the Commons Amendments, and consequential Amendments to the Bill to be considered forthwith. Considered.

Resolved, That this House doth not insist on the Amendments to the Bill to which the Lords have disagreed, and doth agree to the Amendments made by the Lords to the Bill in lieu thereof, and to the Amendments made by the Lords to the Amendments made by this House to the Bill, and to the consequential Amendments made by the Lords to the Bill.—(*Mr. Attorney-General.*)

EXPIRING LAWS CONTINUANCE BILL.

"To continue various Expiring Laws," presented by Mr. McKenna; to be read a second time upon Monday next, and to be printed. [Bill 364.]

WORKMEN'S COMPENSATION BILL.

As amended (by the Standing Committee), further considered.

MR. HICKS-BEACH (Gloucestershire, Tewkesbury) moved to amend the definition of "dependants" by declaring that the members of the workman's family must be "actually" dependent, either wholly or in part, on the earnings of the workman at the time of his death. The hon. Gentleman said his object in moving the Amendment was to secure a better definition of the word "dependant," because in the administration of the Workmen's Compensation Act difficulties had frequently arisen in deciding whether relatives were or were not dependent on the earnings of the deceased. In the case of Simmons *v.* White Lord Justice Romer stated that in his judgment a dependant in order to get compensation must be dependent in the proper sense of that term, and that it was not sufficient if he was merely deriving benefit from the earnings of the deceased; he must be to some extent dependent on him for the ordinary necessaries of life, having regard to his class and position in life. That was the interpretation which he believed the framers of the original Act and the House in general intended to be put on the word "dependant." Everybody agreed that if the wage-earner was unfortunately killed, and the wages he had earned were lost to his family who had been dependent on him, they ought to receive compensation for his death. But other learned Judges had put a different interpretation upon this word "dependant," and he would refer the Home Secretary to certain decisions of the Law Courts on this question. In the case of Davies *v.* The Main Colliery Company, the deceased was a boy of sixteen, earning 8s. per week. He left a father who was earning 25s., and two brothers earning 12s. and 7s. 6d. respectively. The County Court Judge decided that the father was dependent on the son, although he was only earning the very modest wage of 8s. a week, and awarded him compensation to the amount of £23 8s. That decision was upheld by the Court of Appeal and the House of Lords. Again, in the case of Brackton *v.* Strakers and Love, the deceased had been earning 6s. 8d. per week, the father was earning 16s. 6d. with a free house and coal, and two brothers were living in the same house, one earning 18s. 6d. and the other 24s. 6d. Thus in all these three members of the family earned just on £3 a week and had a free house and coals. It was obvious, and it was indeed admitted by the father, that the wages of the deceased lad were insufficient to provide for his own maintenance, nevertheless the Judge found it was a case of dependency and awarded a sum of £60. That decision, to his mind, went beyond the meaning and intention of the word "dependent," for by it the father and brothers really made a profit by the death of the deceased—they were not only saved the expense of maintaining him in part, but they were declared entitled to compensation. Everybody must deplore accidents which resulted in the death of young boys, but he submitted that the decisions which he had cited had not borne out the interpretation intended by the framers of the Act. He, therefore, moved his Amendment.

MR. GIBBS (Bristol, W.) seconded. He agreed that words were necessary to make clear the meaning of the word "dependant." Undoubtedly great differences of opinion had arisen in the past as to what constituted a dependant. There might be a family of four all earning good wages. If through an accident one died could it be said that the others were in any way dependent on him for the necessaries of life? He thought not; and he, therefore, had much pleasure in seconding the Amendment.

Amendment proposed to the Bill—

"In page 13, line 34, after the word 'part,' to insert the word 'actually.'"—(*Mr. Hicks Beach.*)

Question proposed—

"That the word 'actually' be there inserted in the Bill."

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, LEEDS, W.) said he did not profess to be bound in every way by the findings of the Committee, and he had to exercise his free judgment in the matter. He did not, however, think that anybody would deny the impartiality of the Committee, and in face of their recommendation he did not think it would be wise to accept the Amendment.

*MR. CLAVELL SALTER (Hants, Basingstoke) said he was sure they all desired that when a family had been deprived of the breadwinner they should receive compensation. The expression "in part dependent upon the earnings" had raised great difficulties, and whatever the Departmental Committee might say, now or never was the time to put the matter right, and it should not be left to a private Member to grapple with. The rough test used to be, had the dependant suffered in his means of livelihood having regard to the ordinary amenities and comforts of people in that position in life. It was never suggested that the dependant should be reduced practically to starvation. The matter had been before the House of Lords, and they came to the conclusion that anyone who came within the degree of consanguinity and had sustained any real pecuniary loss was entitled to compensation. Although he did not think the Amendment of his hon. friend was the best that could be applied, he trusted that the Government would give some indication that they would attempt to deal with what was an admitted blot upon the Bill.

MR. BRACE (Glamorganshire, S.) hoped the Government would not accept the Amendment, because it would only introduce another bone of contention which would disturb the Courts and the arbitrators, and they would find themselves face to face with more litigation in consequence. He thought the House might safely leave this matter to the Courts to act upon a well-established principle.

Question put, and negatived.

Amendment proposed to the Bill—

"In page 13, line 36, after the word 'death' to insert the words 'or would but for the incapacity due to the accident have been so dependent.'"—(*Mr. Gladstone.*)

Amendment agreed to.

MR. KEIR HARDIE moved an Amendment to the effect that where the workman, being the parent or grandparent of an illegitimate child, leaves such child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings, the expression "dependents" shall include such an illegitimate child and parent or grandparent respectively. He assumed that his Amendment was going to be accepted, and acting upon that assumption he would not attempt to make anything in the nature of a speech. He hoped the fact that a child was illegitimate would not be held of itself to deprive a child or parent of compensation. He understood that the Government were, on the whole, sympathetic towards the Amendment and would offer no opposition to it. It very often happened that illegitimate children were quartered upon grandparents. They were admitting the mother to the benefits of the Act, and he trusted the Government would not offer any opposition to the words "or grandparent" being included in each case in his Amendment after the word "parent." With that addition he begged to move his Amendment.

MR. BARNES (Glasgow, Blackfriars) seconded.

Amendment proposed to the Bill—

"In page 13, line 36, after the word 'death, to insert the words ' and where the workman, being the parent or grandparent of an illegitimate child, leaves such a child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings, shall include such an illegitimate child and parent or grandparent respectively."—(*Mr. Keir Hardie.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE said there were so many cases of real hardship of this kind that, as far as the Government were concerned, they were ready to accept the Amendment.

MR. AKERS-DOUGLAS (Kent, St Augustine's) said his experience did not permit him to agree with the right hon. Gentleman in the decision he had arrived at He thought very great difficulty would arise if they opened up questions of illegitimacy in this way. He wished to protest against the view of the right hon. Gentleman, and he hoped the House would reject that Amendment.

MR. ASHLEY (Lancashire, Blackpool) moved as an Amendment to the Amendment of the hon. Member for Merthyr Tydvil—

"To leave out the words ' or being an illegitimate child, leaves the parent or grandparent so dependent upon his earnings,"

and to also omit the words "and parent or grandparent respectively" at the end of the Amendment. He wished to extend the benefits of the Act to the illegitimate child but not to the parents of that child. He agreed that it would be a terrible thing that the sins of the father should be visited on the children, but it was a very different thing to say that the parents of an illegitimate child who had neglected to conform to the marriage laws of the country should receive any benefits under the Act. He could not imagine any greater hardship upon a child than that its parents should be encouraged to neglect to go through the simple form of the marriage ceremony. He thought if they accepted the Amendment of the hon. Member for Merthyr Tydvil in its entirety, they would be putting a premium on people living together without being married.

LORD R. CECIL (Marylebone, E.) seconded the Amendment to the

Mr. Brace.

Amendment. He thought it was a reasonable compromise between the view of the leader of the Labour Party and the provision in the Bill as it stood. He felt that the House ought not to do anything which would lead people out-of-doors to suppose that they did not attach importance to the sanctity of marriage.

Amendment proposed to the proposed Amendment to the Bill—

"To leave out the words 'or, being an illegitimate child, leaves a parent or grandparent so dependent upon his earnings.'"—(*Mr. Ashley.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the Bill."

SIR GEORGE DOUGHTY (Great Grimsby) expressed the hope that the House would not accept the Amendment to the Amendment. He looked at the question from the point of view of persons he had met, and especially women, who suffered hardships because they were denied, by a technicality of the law, the advantages of the Workmen's Compensation Act.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) thought the House would be both logical and humane in accepting the Amendment as moved by the hon. Member for Merthyr Tydvil. They would be logical because this Bill was intended to provide for persons who were in fact dependent, and he thought that a child or parent in the circumstances contemplated would be in fact dependent. Therefore, if they established the relationship in nature and the dependency in fact, he did not think the operation of the Bill should be checked by any inquiry as to the lawfulness or unlawfulness of their natural ties.

MR. ASHLEY said he was not proposing a disability on bastardy.

*SIR JOHN WALTON said the illegitimate child had no share in the blame. Surely, therefore, its position was one which demanded the consideration of humanity. In the case of a woman who had an illegitimate son on whose earnings she was dependent, were they before they relieved her to call upon her to produce marriage lines? Did they discriminate in the distribution of their charity upon the same principle? The practice of society was to make the burden as light as might be for all persons who were placed in that unfortunate position. He could not contemplate without dismay the alternative to the Amendment in the case of the mother of an illegitimate child. The breadwinner was gone. Was she to be thrown upon the rates? This was not a measure for attaching a new sanction to the marriage law. It was a measure to give practical relief in circumstances of practical hardship. Therefore he hoped the House would approach the Amendment in no spirit of Pharisaism but in a spirit of humanity.

*MR. COCHRANE said one felt in great difficulty in touching on this subject. He gathered that the Amendment would not cut out from the benefit of the Act the illegitimate child, but that it would cut out the parent. If he recollected aright the Home Secretary adduced a wealth of argument against this Amendment in the Committee.

*MR. GLADSTONE dissented.

MR. COCHRANE said he had a distinct recollection that the right hon. Gentleman opposed the Amendment on moral grounds. At any rate the right hon. Gentleman led him to think that he was not going to accept the Amendment, because he voted against it upstairs.

*MR. GLADSTONE said the Amendment was not before the Standing Committee.

*MR. COCHRANE said the Amendment proposed in the Committee was to insert after the word sister the words "the mother of an illegitimate child, son or daughter." The Committee divided, and the right hon. Gentleman was successful in the division. He supported the right hon. Gentleman on that occasion. The Amendment was defeated by twenty-nine to fifteen. The sudden change was made when the hon. Member for Merthyr Tydvil gave the command

"On the knee." He saw no signs of mutiny or rebellion on the part of hon. Gentlemen opposite. The hon. Member said a few brief words and immediately the right hon. Gentleman accepted the situation. He sympathised with the right hon. Gentleman.

MR. GLADSTONE: I do not want your sympathy.

*MR. COCHRANE said the Government was going somewhat far in this matter. It was almost impossible at a moment's notice to consider all the circumstances that might arise. Let them suppose the case of a man with a wife and family. On the man's death a claim might be brought on behalf of an illegitimate child. The mother of that child might come forward and compete with the widow who was the lawful mother of his other children before the compensation was paid. In that way bitter feelings and jealousy might be created. Aspersions might be thrown on a man's character after his death on account of the cases which were certain to arise. In hundreds of cases where a man might have been living a respectable life someone might make a dastardly attack on his memory by bringing forward a claim. [Cries of dissent.] He ventured to say that these cases would arise. In a case where a man had been *bona fide* almost in the married state it was difficult to differentiate between him and a married man except on high moral grounds. The right hon. Gentleman was going to work in the wrong way. Let him take a leaf out of the Scottish law, which was humane and just. If a man at the last moment on his death bed desired to legitimatise his illegitimate family he had only to say, "This is my wife and family." He did not say that was English law.

MR. KEIR HARDIE: Suppose he is married already.

*MR. COCHRANE said that the law in Scotland did not allow of bigamy. What he would suggest to his right hon. friend was not to introduce questions of illegitimacy into a Bill of this kind. What was required was an amendment of the law of England so as to bring it up to the humane and just standard of the law of Scotland. If the right hon. Gentleman did that he would be doing justice to thousands of families in this country. He should certainly support his hon. friend in his Amendment, which was designed not to injure the illegitimate child. The illegitimate child would still have a claim for compensation if it had been supported by the parents; but to extend the provision beyond that would create jealousies and difficulties amongst the families of the working classes when a man was dead and no longer able to defend himself against bogus charges.

*MR. HERBERT SAMUEL said he wanted to remove a possible misunderstanding as to what the Amendment would really effect. The hon. Member for North Ayrshire said that the effect of the Amendment would be that if a workman was injured a claim might be made by the mother of the workman's illegitimate child. That was not so. It was only the illegitimate child and not the mother who could make a claim for compensation. The Amendment went on to say that if a workman was himself an illegitimate child his parent or grandparent might claim.

MR. MARKHAM (Nottinghamshire, Mansfield) said that the hon. Member for North Ayrshire had made a very unfair attack on the Home Secretary. He thought that all the Amendments that had been moved on either side of the House had been met by the right hon. Gentleman in a fair manner. The opinion was practically unanimous on all sides in the interests of humanity to give compensation to all children, whether legitimate or not.

Question put.

The House divided:—Ayes, 232; Noes, 81. (Division List No. 461.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Anson, Sir William Reynell
Anstruther-Gray, Major
Asquith, Rt. Hn. Herbert Henry
Atherley-Jones, L.
Baring, Godfrey (Isle of Wight
Barker, John

Barlow,JohnEmmott (S'm'rs't)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont,Hon.H.(Eastbourne
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black,Arthur W. (Bedfordsh.
Boland, John
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner,J.F.L. (Lancs., Leigh)
Brunner, Rt.Hn.Sir J.T.(Ches.)
Bryce, Rt. Hn. James(Aberd'n)
Bryce, J. A.(Inverness Burghs)
Burke, E. Haviland-
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Channing, Sir Francis Allston
Clough, William
Clynes, J. R.
Coats,Sir T.Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C.H.(Sussex,E.Gr'st'd)
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth
Crean, Eugene
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies,M.Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar,John A. (Inverness-sh.)
Donelan, Captain A.
Doughty, Sir George
Duncan,C. (Barrow-in-Furness)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin (Wals'll
Edwards, Enoch (Hanley)
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Farrell, James Patrick
Ferguson, R. C. Munro
Ffrench, Peter
Fowler, Rt. Hon. Sir Henry
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone,Rt.Hn.Herbert John
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius

Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie,J.Keir(Merthyr Tydvil)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hedges, A. Paget
Henry, Charles S.
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hodge, John
Holland, Sir William Henry
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lee,Arthur H.(Hants.,Fareh'm
Lehmann, R. C.
Lloyd-George, Rt. Hon. David
Lough, Thomas
Macdonald,J.M.(FalkirkB'ghs)
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeigh,Charles (Donegal,E.)
M'Crae, George
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Markham, Arthur Basil
Marks, H. H. (Kent)
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Money, L. G. Chiozza
Mooney, J. J.
Morgan, J.Lloyd (Carmarthen)
Morrell, Philip
Murphy, John
Murray, James
Myer, Horatio
Nicholls, George
Nicholson, Charles N. (Donc'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor,James (Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)

O'Grady, J.
O'Kelly,James(Roscommon,N.
O'Malley, William
Parker, James (Halifax)
Paul, Herbert
Philipps,Col.Ivor (S'th'mpton)
Pickersgill, Edward Hare
Price, C. E. (Edinburgh,Central
Priestley,W.E.B. (Br'df'rd, E.)
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, WalterRussell (Scarboro')
Redmond,John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thomas (W.Mon'th)
Richards,T. F. (Wolverh'm't'n)
Richardson, A.
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt.Hn. E. (Dundee)
Robertson,SirG.Scott (Br'df'd)
Robinson, S.
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel,Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Snowden, P.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Ches.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor,Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.
Thomas,DavidAlfred(Merthyr)
Thomasson, Franklin
Toulmin, George
Trevelyan, Charles Philips
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward,John (Stoke-upon-Trent)
Ward,W.Dudley (Southampt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason,JohnCathcart (Orkney)
Wedgwood, Josiah C.
Whitbread, Howard
White, Luke (York, E. R.)
Whitehead, Rowland
Whiteley, George (York, W.R.)
Whittaker, Sir Thomas Palmer

Wilson, Henry J. (York, W.R.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Shackleton and Mr. Fenwick.

NOES.

Acland-Hood, Rt. Hn. Sir Alex F.
Agnew, George William
Aubrey-Fletcher, Rt. Hon. Sir H.
Balcarres, Lord
Balfour, Robert (Lanark)
Banbury, Sir Frederick George
Barlow, Percy (Bedford)
Beach, Hn. Michael Hugh Hicks
Beaumont, Hn. W. C. B. (H'xh'm)
Beckett, Hon. Gervase
Bethell, T. R. (Essex, Maldon)
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Carlile, E. Hildred
Cavendish, Rt. Hon. Victor C. W.
Cawley, Sir Frederick
Chance, Frederick William
Cheetham, John Frederick
Cochrane, Hon. Thos. H. A. E.
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Delany, William
Dickinson, W. H. (St. Pancras, N)
Dixon-Hartland, Sir Fred Dixon
Dolan, Charles Joseph
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Gov'n)
Edwards, Frank (Radnor)
Everett, R. Lacey
Fardell, Sir T. George
Fuller, John Michael F.
Furness, Sir Christopher
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Ginnell, L.
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashf'd)
Harrison-Broadley, Col. H. B.
Herbert, T. Arnold (Wycombe)
Hobhouse, Charles E. H.
Hogan, Michael
Hooper, A. G.
Idris, T. H. W.
Kimber, Sir Henry
Kincaid-Smith, Captain
Kitson, Rt. Hon. Sir James
Lambert, George
Liddell, Henry
Lundon, W.
Maclean, Donald
MacVeigh, Jeremiah (Down, S.)
Magnus, Sir Philip
Massie, J.
Meagher, Michael
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Molteno, Percy Alport
Morpeth, Viscount
O'Brien, Kendal (Tip'rary Mid)
O'Shaughnessy, P. J.
Partington, Oswald
Pease, J. A. (Saffron Walden)
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Raphael, Herbert H.
Roberts, S. (Sheffield, Ecclesall)
Robson, Sir William Snowdon
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smeaton, Donald Mackenzie
Spicer, Sir Albert
Stone, Sir Benjamin
Tomkinson, James
Valentia, Viscount
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Younger, George

TELLERS FOR THE NOES—Mr. Ashley and Lord Robert Cecil.

Question put, "That these words be there inserted in the Bill."

The House divided:—Ayes, 250; Noes, 77. (Division List No. 462.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Anson, Sir William Reynell
Armitage, R.
Asquith, Rt. Hn. Herbert Henry
Atherley-Jones, L.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (S'm'rs't)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont, Hon. H. (Eastb'ne)
Beck, A. Cecil
Benn, W. (T'w'r Hamlets, S. Geo.)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordsh.)
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Ches.)
Bryce, Rt. Hn. James (Aberd'n)
Bryce, J. A. (Inverness Burghs)
Burke, E. Haviland-
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H. (Sussex, E. Gr'st'd)
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness-sh.)
Donelan, Captain A.
Doughty, Sir George
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Wals'l)
Edwards, Enoch (Hanley)
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Farrell, James Patrick
Ferguson, R. C. Munro
Ffrench, Peter
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)

Hardy, George A. (Suffolk)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hedges, A. Paget
Henry, Charles S.
Higham, John Sharp
Hills, J. W.
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(S'm'rs't,N.)
Horniman, Emslie John
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, SirD.Brynmor(Sw'nsea)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lee,ArthurH.(Hants.,Fareh'm)
Lehmann, R. C.
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Macdonald, J.M.(FalkirkB'ghs)
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Charles(Donegal,E.)
M'Crae, George
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Masterman, C. F. G.
Menzies, Walter
Micklem, Nathaniel
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J.Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Murphy, John
Murray, James
Myer, Horatio
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Charles N. (Donc'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal(TipperaryMid.
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Mara, James
Paul, Herbert
Pease, J. A. (Saffron Walden)
Philipps, Col.Ivor(S'thampton)
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell(Scarboro')
Redmond, John E.(Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards,Thomas(W.Monm'th)
Richards, T.F.(Wolverh'mpt'n)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson,Rt.Hon.E.(Dundee)
Robertson,SirG.Scott(Bradf'rd
Robinson, S.
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Snowden, P.
Stranger, H. Y.
Stanley,Hn.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A.(Glamorgan,E.)
Thomas,David Alfred(Merthyr)
Thomasson, Franklin
Toulmin, George
Trevelyan, Charles Philips
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds,S.)
Walton, Joseph (Barnsley)
Ward, John(Stoke-upon-Trent)
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason,John Cathcart(Orkney)
Wedgwood, Josiah C.
Whitbread, Howard
White, Luke (York, E. R.)
Whitehead, Rowland
Whiteley, George (York, W.R.)
Whittaker, Sir Thomas Palmer
Wilson, Henry J. (York, W.R.)
Wilson, P.W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Fenwick and Mr. Shackleton.

NOES.

Acland-Hood,Rt.HnSirAlex.F.
Agnew, George William
Anstruther-Gray, Major
Aubrey-Fletcher,Rt Hon.SirH.
Balcarres, Lord
Balfour,RtHn.A.J.(CityLond.)
Banbury, Sir Frederick George
Barlow, Percy (Bedford)
Barrie, H. T. (Londonderry,N.)
Beach, Hn. Michael HughHicks
Beaumont,Hn.W.C.B.(Hexh'm
Beckett, Hon. Gervase
Bethell, T. R. (Essex, Maldon)
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Carlile, E. Hildred
Cavendish,Rt.Hon Victor C.W.
Cawley, Sir Frederick
Chance, Frederick William
Cochrane, Hon. Thos. H.A.E.
Craig,Captain James(Down,E.)
Craik, Sir Henry
Davies, M. Vaughan-(Cardigan)
Dickinson,W.H.(St Pancras,N.)
Dixon-Hartland,Sir FredDixon
Dolan, Charles Joseph
Duncan,Robert(Lanark,Govan
Everett, R. Lacey
Faber, George Denison (York)
Faber, G. H. (Boston)
Fardell, Sir T. George
Fletcher, J. S.
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Furness, Sir Christopher
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Hardy,Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Herbert, T. Arnold (Wycombe)
Idris, T. H. W.
Kimber, Sir Henry
Kincaid-Smith, Captain

Kitson, Rt. Hon. Sir James
Lambert, George
Lambton, Hon. Frederick Wm.
Liddell, Henry
Maclean, Donald
M'Kenna, Reginald
M'Laren, H. D. (Stafford, W.)
Massie, J.
Meagher, Michael
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Morpeth, Viscount
Partington, Oswald
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Ratcliff, Major R. F.
Roberts, S.(Sheffield,Ecclesall)
Robson, Sir William Snowdon
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smeaton, Donald Mackenzie
Spicer, Sir Albert
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'dUniv.
Valentia, Viscount
Vivian, Henry
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Younger, George

TELLERS FOR THE NOES.—Mr. Ashley and Lord Robert Cecil.

Amendment proposed to the Bill—

"In page 14, line 1, after the word 'ship' to insert the word 'vessel.'"—(*Sir W. Robson.*)

Amendment agreed to.

SIR W. ROBSON moved to insert after "1894" the words "except that seamen to whom Section 10 of that Act applies shall include pilots." This was, he said, an important Amendment and one of substance, as it extended the definition of seamen so as to include pilots. The word "pilot" was, however, limited to some extent by the Act of 1894. The Amendment would not apply to foreign pilots, but it seemed hard that this particular class of seafarers should be excluded from the benefit of the Act.

Amendment proposed to the Bill—

"In page 14, line 2, to insert after '1894,' the words 'except that seamen to whom Section 10 of that Act applies shall include pilots."—(*Sir W. Robson.*)

Question proposed, "That those words be there inserted in the Bill."

MR. AKERS-DOUGLAS was very glad that the hon. and learned Member had moved this Amendment, because had he not done so he had been asked by the pilots around our coasts to bring the matter forward.

Question put, and agreed to.

SIR W. ROBSON moved the following addition to the clause "'Manager,' in relation to a ship means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner." It was necessary to define in the definition clause what the word "manager" meant.

MR. ASHLEY asked what the expression "ship's husband" meant?

SIR W. ROBSON said that "ship's husband" was a term of art known to all people engaged in shipping and in commerce. He was a person who managed the ship, and a ship in nautical language being a female the man who managed her was called her husband. It was a perfectly legitimate relationship.

Amendment proposed to the Bill—

"In page 14, line 2, at the end, to insert the words 'manager' in relation to a ship means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner."—(*Sir W. Robson.*)

Question "That those words be there inserted," put, and agreed to.

*MR. GLADSTONE moved to amend the definition of "outworker," so that the term should mean "a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale, in his own home or on other premises not under the control or management of the person who gave out the materials or articles." This provision was, he said, introduced in order to make it clear what "outworker" meant.

Amendment proposed to the Bill—

"In page 14, line 8, to leave out from the word 'whom,' to the word 'premises' in line 9, and to insert the words 'articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale, in his own home or on other."

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. HUGH LAW (Donegal, W.) inquired whether it was not possible to do something for this class of person. He knew that they had settled that the outworker was to be excluded from the operation of the Act; at the same time it appeared to him that the temptations would be increased to employers to give out work to this class of people and so avoid liability. Could not the right hon. Gentleman do anything either by this Bill or in any other way for this class of persons?

*MR. GLADSTONE was afraid he could not answer that question in the affirmative.

Amendment agreed to.

Amendments proposed to the Bill—

"In page 14, line 10, to leave out the word 'work,' and to insert the words 'materials or articles.'"—(*Mr. Gladstone.*)

Amendment agreed to.

MR. DALZIEL (Kirkcaldy Burghs) moved the omission of Clause 14. He said he did so not in order to attack the right hon. Gentleman, but to give him an opportunity of stating the ground upon which he thought it desirable to make this great departure. The clause would do away with the ancient right in Scotland to have on appeal a trial by jury under the Employers' Liability Act. That was a most important departure to take in a Bill of this kind. He was aware that the right hon. Gentleman considered that this privilege had been considerably abused in Scotland, and that a number of speculative agents, or solicitors as they were called in England, had against the interests of their clients been the cause of bringing many cases before the Court of Session which could have been settled under the Employers' Liability Act on a more equitable basis. There were in Scotland no doubt shady members of various professions as there were in England, but the right hon. Gentleman would be the last to say that that applied as a general rule throughout Scotland. Generally he thought it would be better to let the workmen, who were usually members of a trade union, look after their own interests in the way they thought best. He believed every trade union in the kingdom was against this clause. Both the trade unions and the mining organisations in Scotland had passed unanimous resolutions against it, and so far as he had been able to ascertain not a single resolution had been passed in its favour. If that was not a case for the rejection of the clause, it was at least a case for its reconsideration. He wished to know, if the right of a trial by jury on appeal was to be taken away, what was intended to be substituted for it, because there was a strong feeling upon the part of the workers of Scotland that their cause was safer in the hands of a jury than in the hands of a Judge alone. He thought if the right was to be taken away the House ought to have some understanding that in Scotland they should have a similar procedure to that in the county courts of this country. He begged to move.

*MR. SPEAKER: There being no seconder the Amendment falls to the ground.

Amendments proposed to the Bill—

"In page 14, lines 19 and 20, to leave out 'instead of taking proceedings for recovering compensation under this Act.'"

"In page 14, line 22, after 'accident,' to insert 'arising out of and in the course of the employment.'"

"In page 14, line 23, to leave out 'a.'"

"In page 14, line 25, to leave out 'or at common law.'"

"In page 14, line 27, after 'shall,' to insert 'notwithstanding anything contained in that Act.'"

"In page 14, line 27, after 'removed,' to insert 'under that Act or otherwise.'"—(*The Lord Advocate.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 14, line 27, to leave out from 'session' to end of sub-section, and insert 'nor shall it be appealed to that court otherwise than by appeal on a question of law; and for the purposes of such appeal the provisions of the second schedule to this Act in regard to an appeal from the decision of the sheriff on any question of law determined by him as arbitrator under this Act shall apply."—(*Mr. Thomas Shaw.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. YOUNGER (Ayr Burghs) expressed his conviction that this Amendment was dictated by a desire on the part of the right hon. Gentleman to put a stop to vexatious actions and the practical robbery of working men by a lot of land sharks who had been engaged in raising perfectly useless and unnecessary actions. That would be stopped by this Amendment. He had heard it constantly said that in Scotland the lawyer's minions were often in the house of a man who had suffered from an accident before the doctor. He hoped the Amendment would be agreed to.

*THE LORD ADVOCATE (Mr. THOMAS SHAW, Hawick Burghs) said he perhaps might be allowed to explain, as this section contained a very important alteration in the right of appeal, how this matter of judicial procedure under the Employers' Liability Act of 1880 stood in Scotland. The object of the clause was to prevent the compensation awarded to the working classes of Scotland from being seriously encroached upon by the operations of those who were neither workpeople nor employers, but who belonged to the professional classes, and who as the law at present stood succeeded in many cases in depriving the working classes of any effective compensation. In England it was competent to have a jury in the county court, but that was optional and in many parts of the country very little advantage was taken of the right. What he proposed to do under this Amendment was to prevent in Scotland actions being taken from the Sheriff Court to the Court of Session. Here was a statute which affected the poorest part of the community; yet when its machinery was put into operation the expenses incurred by agents of the kind which had been described, on an appeal to the Court of Session on a matter affecting compensation often, of a most slender amount, ran into hundreds of pounds. Every hon. Member would understand his personal anxiety, when such a Bill as this was going through the House, that he should not lose the opportunity of making it effective in its whole purpose to those who should have compensation. One or two by no means exceptional cases in the ordinary course of law in Scotland had come to his notice. One case brought in the Sheriff Court was sent to the Court of Session; a jury was empanelled and two counsel a side instructed. The cost of getting compensation to the amount of £30 was no less than £200. In another case £60 was obtained and the costs were £335 and so on. One very gross case had occurred recently. The jury in that case awarded an injured workman £25, but in order to get that amount his case was taken to the Court of Session, where the costs were no less than £225. It was very doubtful whether that workman would get a single sixpence. Because as everyone knew there were a great many extra-judicial costs and they might absorb and more than absorb the amount which had been awarded as compensation. He quite granted what the hon. Gentleman said with regard to certain unions. Their case was well presented to him by their secretary. This gentleman, who presented a case apparently in favour of the present law, was himself a lawyer, and he (Mr. Shaw) took the opportunity of asking him a few questions. The secretary very properly said that owing to the way in which the cases were conducted all the money recovered in the union cases went to the union operatives. He (Mr. Shaw) asked him whether there were any extra-judicial expenses. His reply was "Oh, a matter of £30 or £40." And then, in answer to his question as to who paid this, the secretary said that the unions paid it. He (Mr. Shaw) replied, substantially, in these words—

> "Then the unions are steadily bleeding themselves in order to pay extra-judicial costs under a system which I want to abolish under this Bill."

Could the House have any more convincing testimony that that was a case which this House would wisely remedy? It had been suggested that the unions took care of themselves, and that they made the contributions and the particular aggrieved party did not suffer. But what if that party were not a member of a union? Then the whole burden fell upon the individual workman or his relatives. This was emphatically the case of the poor and those that have no helper. And he quite mistook the trade unions of the country if they were not with him in this consideration, that it ought to be the very special care of Parliament to look after the case of the unorganised workers, and that if the average sum were on the very moderate scale he had mentioned—and it was very much under what one's own experience confirmed—they ought to see to it that where there was no union to protect the workers, the widows and children did not have to pay that sum to the lawyers. The hon. Gentleman had stated truly that there was no system of jury trial in Scotland in the Sheriff Court. He proposed, subject to the approval of the Government, to submit a scheme of Sheriff Court reform and, so far as he was concerned, he confessed that he would personally welcome the introduction of an option similar to that which existed in England; but he might point out that a good deal of the opposition of trade unions in Scotland arose from the fact that these schemes for jury trial could not be embodied in the Bill. It would require the formation of a Sheriff Court code, and they would require very carefully to watch the panel from which juries in those cases were formed. Furthermore, there had been a certain opposition to the Bill because in the form in which he originally drew this clause it proposed to abolish the appeal for jury trial at common law. The employers' unions wanted the appeal for trial at common law done away with also. He had opposed that. He said that the length he proposed to go was at present a fair Parliamentary step to take. He admitted the deep cut it made into existing procedure, but he was not at present disposed to take away the time-honoured system of trial at common law. Of course under the clause as framed appeals should be left open on points of law; but they would be promptly and inexpensively disposed of. He regretted the absence of the right hon. Gentleman the Member for West Birmingham, who had so persistently maintained the necessity in all this legislation of seeing that whatever was done the effective remedy should go to the widows and children. In that view, and in the hope that the House would not lose this excellent opportunity of a good remedy for a state of matters approaching a scandal, he ventured to submit this clause.

MR. DALZIEL explained that he had not asked for a seconder to his Amendment because he understood that the hon. Member for the Ince Division was going to second it, but the hon. Gentleman was not in the House, owing, no doubt, to some inadvertence. He was glad to have the assurance of the right hon. Gentleman that there was some prospect of the provision of a jury in the case of the Sheriff Court. He was only sorry the right hon. Gentleman was not more definite as to when that measure would be introduced. There was a great deal of truth in what the right hon. Gentleman said about the costs in Scotland, but all cases in law cost a great deal too much. He regretted that there was not in Scotland a system, as in the case of the county courts of England, whereby no costs were allowed unless certified by the Registrar. With regard to the gentleman the Lord Advocate cross-examined on the subject of costs, he had a suspicion who the gentleman was, and he was not sure the right hon. gentleman was correct in saying he was secretary to the Unions.

*MR. THOMAS SHAW said he might have been wrong in that. He understood the individual in question was a prominent official and led the movement. He might add that he was a very excellent and capable professional man, very justly respected by the unions, for whom he spoke on almost every occasion.

MR. DALZIEL said he believed he knew the gentlemen referred to, but he did not think the unions in question would acknowledge him as a leader. He was their legal adviser. It was not fair to put all the cases of the kind referred to on the same basis, and he thought, generally speaking, the parties were well advised. However, he did not propose to offer any further opposition to the clause.

MR. BARNES (Glasgow, Blackfriars) said it was not through any disrespect that the hon. Member did not get a seconder for his Amendment. It was owing to the unexpected absence of the hon. Member for the Ince Division, who was attending a deputation, that the Amendment was not seconded. He himself did not second the Amendment because he was not in favour of it. He preferred the course mapped out by the Lord Advocate. As a member of the Departmental Committee it was borne in upon him with overwhelming force that the particular part of the appeal appertaining to trial by jury had been scandalously abused. He did not say it had been done in all cases wilfully, but men in pursuance of their calling had done it, and great expense had been incurred by the labouring classes throughout Scotland. Although he was in Parliament as a trade union representative, or rather as a representative trade unionist, he was present on behalf of a constituency which was one of the poorest in the country, representing people whose wages left no margin even to join a trade union. These people were his first consideration in the House, and it was because he was absolutely sure that the provisions of the Act as applied to these people had been abused, and that the money of the trade unions had been to some extent spent unnecessarily, that he was prepared to leave the matter in the hands of the Lord Advocate, apart from his proposal—which he was not aware of until this afternoon—for placing the law of Scotland on the same footing as that of England. That was an additional satisfaction to him and an additional reason for supporting the right hon. Gentleman's proposal.

Amendment agreed to.

Amendments proposed to the Bill—

"In page 14, line 30, to leave out sub-section (b)."—(*The Lord-Advocate.*)

"In page 15, line 10, at end, to add the words, '(2) Every scheme under The Workmen's Compensation Act, 1897, in force at the commencement of this Act shall, if re-certified by the Registrar of Friendly Societies, have effect as if it were a scheme under this Act. (3) The Registrar shall re-certify any such scheme if it is proved to his satisfaction that the scheme conforms, or has been so modified as to conform, with the provisions of this Act as to schemes. (4) If any such scheme has not been so re-certified before the expiration of six months from the commencement of this Act, the certificate thereof shall be revoked.'"

"In page 15, line 12, to leave out the word 'January,' and insert the word 'July.'"—(*Mr. Secretary Gladstone.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In Schedule 1, page 16, line 7, to leave out the words "at the time of his death.'"—(*Mr. Secretary Gladstone.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. LAURENCE HARDY (Kent) Ashford) asked the Home Secretary to give his reason why those words were to be omitted.

*MR. GLADSTONE said the omission of the words was consequent upon the House having accepted an Amendment to Clause 13. A county court judge had held that a woman who claimed compensation was not totally dependent at the time of her husband's death because she earned a few shillings a week charing. This Amendment would meet that point.

Amendment agreed to.

SIR WILLIAM BULL (Hammersmith) moved to insert in the schedule words to secure compensation representing 156 times the amount of the average weekly contribution of the deceased towards the maintenance of his dependants. He thought that would constitute a fair basis of negotiation.

MR. YOUNGER (Ayr Burghs) formally seconded.

Amendment proposed to the Bill—

"In page 16, line 22, to leave out from the word 'sum,' to the end of paragraph (ii.), and insert the words, 'as shall represent one hundred and fifty-six times the amount of the average weekly contribution of the deceased towards the maintenance of such dependants for a period of twelve months prior to the date of the accident causing the death.'" — (*Sir William Bull.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. GLADSTONE said he could not accept the hon. Member's proposal. It was quite impossible to propose an alteration of the scale in this respect, because it would lead to proposals being forced upon them for altering the scale in other directions. He hoped the hon. Member would not press his Amendment.

SIR WILLIAM BULL asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

In page 16, line 26, after the word 'dependants,' to insert the words, 'provided that any weekly payments made under this Act, and any lump sum paid in redemption thereof, shall be deducted from such sum.' "—(*Mr. Cory.*)

Amendment negatived.

Amendment proposed to the Bill—

"In page 16, lines 30 and 31, to leave out the words 'after the first three days.' "—(*Mr. Gladstone.*)

Amendment agreed to.

*MR. COCHRANE moved an Amendment to add words providing that in the case of a serious accident, such as a fracture of a limb, or dislocation of a limb, or loss of an eye, or any other serious personal injury incapacitating a workman for over twenty-eight days the employer should be liable to pay compensation for the whole period of disablement. At present, under the Workmen's Compensation Act, 1897, an injured workman did not receive any compensation for the first fourteen days of any incapacity resulting from an accident. When this Bill was introduced the period was reduced to seven days and was further reduced in Committee to three days. This had since been altered back again in the first clause to seven days. The Home Secretary now proposed that an injured workman should not get compensation for an injury which did not incapacitate him for seven days, but if the incapacity lasted for fourteen days then the injured workman was to receive compensation from the date of the accident. Hon. Members below the gangway would like to put down malingering, and they were no friends of the malingerer. Where a man met with a serious injury the loss of a week might be a very serious consideration. What would happen under the right hon. Gentleman's Amendment? Simply that a man would get more money if he remained idle than if he went back to work, and that was a direct incentive to a man not to go back to work. The nearer the man got to the period of fourteen days the stronger was the incentive. Under his Amendment where a man lost a limb or an eye or some other serious personal injury he would be able to get compensation at once. There were some serious injuries the nature of which it was impossible even for a medical referee to tell for some time after they had been sustained. If a man suffered from an injury which incapacitated him from work for twenty-eight days that would be a sufficient indication that his injury was a serious one, and he would under this Amendment get compensation from the date of the accident. He thought that fairly and squarely met the difficulty that arose. Various employers' mutual insurance companies had drawn up scales which showed that while fatal accidents had remained nearly constant in point of numbers since the passing of the Act of 1897, there had been a remarkable increase in the number of claims for lesser accidents ranging from 21 to as high as 63 per 1,000. That showed that the Act was becoming better known. The fact that the fatal accidents had remained constant seemed to point to the inference that accidents generally had not increased, and that therefore they must look in another direction for the explanation of this marked increase in the number of claims for compensation. He knew it was unpopular to speak of economy in this House. It was far easier to say "Let them all come, and divide up the property of the employers amongst them." He thought that they owed something to the people who provided the work on which the country maintained its position as a manufacturing nation. It was their duty to see that funds which they compelled the employers to provide were not frittered away and wasted. This Amendment would be accepted for what it was worth by the large mass of employers. He hoped that if it were carried the workmen who sustained serious injuries would get compensation from the date of the accident, which he was sure everybody desired.

Amendment proposed to the Bill—

"In page 16, line 35, at the end, to insert the words, 'Provided that where the disablement arises from a fracture of a limb, or dislocation of a limb, or loss of an eye, or from any other serious personal injury which prevents the workman from earning full wages at the work at which he was employed for a period exceeding twenty-eight days, the employer shall be liable to pay compensation for the whole period of such disablement, starting from the date of the accident.'"—(*Mr. Cochrane.*)

*MR. GLADSTONE acknowledged that the hon. Gentleman had stated his case in reasonable and moderate language. The difference between them on this point was in regard to the qualifying period. The House would observe that the hon. Gentleman had failed to define the very important word "serious" in his Amendment. He did not think the hon. Gentleman's argument went to show that the wording of the Amendment succeeded in defining that word, or that it would really give any adequate direction to an arbitrator in coming to a conclusion. His hon. friend's contention was that the mere fact that a man was incapacitated for twenty-eight days would go to show that it was a serious accident.

*MR. COCHRANE: It would be a measure.

*MR. GLADSTONE said it would be a time measure or time limit. That being so he assumed that the seriousness was to be measured by the time.

*MR. COCHRANE said he desired two measures of the extent of the injury. The first measure was one which any man could see for himself in the case of a broken arm, the loss of a finger, or the loss of an eye. There was another class of accidents, the effect of which could not be so well seen, such as a strained back or an internal crush, for which there must be another class of measure. If a man was incapacitated for twenty-eight days there would be a time measure.

*MR. GLADSTONE said he followed the hon. Gentleman's point. His time measure of a serious accident provided that if a man was disabled for twenty-eight days his compensation was to start from the date of the accident. He would point out that the effect of this was that the hon. Gentleman's argument against fourteen days fell to the ground.

Mr. Cochrane.

*MR. COCHRANE: No man would remain off for twenty-eight days if he was not seriously injured.

*MR. GLADSTONE said that if at the end of three weeks a man who had been seriously injured was convalescent or approaching convalescence he would be able to prolong his illness till the expiry of twenty-eight days in order to complete the qualifying period. The Government preferred the period which they had already announced and by which they stood.

MR. CORY (Cornwall, St. Ives) said he had always felt sympathy with the man who met with a serious accident, and did not receive payment from the date of the accident. With that in his mind he proposed in Committee an Amendment similar to that under discussion, which gave rise to the Home Secretary's Amendment. The right hon. Gentleman had adopted the principle, but had carried it so far as to make it entirely unfair to the employers. He thought the measure of a severe accident proposed in the present Amendment a very proper one. The Home Secretary had said that to fix a period of twenty-eight days would not prevent malingering any more than to fix fourteen days, but he thought that was hardly correct. If a man was really shamming he might get sick of it in twenty-eight days, whereas he might be willing to keep on for fourteen days. To extend the period to twenty-eight days would do no injustice to the man who was really seriously injured, but might make it less easy for the man who was desirous of malingering. The Home Secretary had said that the effect of the present Act would be as if wages of 20s. a week were raised to 20s. 1½d. and that the Bill would add another 1½d. or 2d. That did not seem a very important affair, and yet Members who had collieries which were losing money would find on looking at their pay sheets that to add 1d. or 2d. a ton was a very serious matter. In many cases collieries were being kept on at a loss year after year in the hope of improvement, and also because the owner did not wish to discharge men. Therefore the question of extra cost not only entered into the calculations of employers, but should not be lost sight of by the workmen, because it might make the difference between keeping a colliery open and shutting it down.

*MR. GILL (Bolton) desired to thank the Home Secretary for proposing his Amendment. The organised workers of the country had for years been asking that they should be paid compensation from the day an accident happened. It seemed to be forgotten that this Bill was bringing in a much poorer class than formerly obtained the benefit of compensation. There were thousands of men who were not earning more than £1 a week. How could they manage to keep a family on that and also save against the day when they met with an injury? In former days when an accident occurred an employer sent an injured workman to his own doctor and paid the bill; but that was almost a thing of the past. In Lancashire at any rate the workman paid his own bill, and if he was off work for fourteen days the lost wages, together with the surgeon's bill, amounted to more than the compensation he received. He was not prepared to admit even that the employer found the whole of the money for the compensation. When he himself had had to negotiate with employers' committees on questions of advances or reductions of wages the compensation cost was put as a reason for not granting an advance. The employer insured against fire, against injury to his machinery, sometimes against failure, and he thought it only reasonable for him to insure his workmen who contributed as much as his machinery to earn the profit of his business. The cost was not great. In the spinning section of the cotton trade it had gone up to 6s. per cent. and they were told that it would increase still more; but even then the total did not reach one penny in the pound on the wages paid. So that under the circumstances there was no need for alarm, as trade was now in a satisfactory condition. In the manufacturing section of the cotton trade the amount was much less than that. He therefore hoped that the Home Secretary would stick to the provision of fourteen days in the Bill.

MR. LAURENCE HARDY said that the hon. Member for Bolton had stated that the workman would after injury have to pay the doctor's fee and that the compensation would be thereby swallowed up. All he could say was that the firm with which he and his family had been associated for 120 years had always found the doctor's fees. He asked whether the right hon. Gentleman would not consider, in preference to his Amendment, that which he himself had put on the Paper. The right hon. Gentleman in Committee had stated that he was doing the best he could for both parties, and surely he might make some compromise. The representatives of the workmen acknowledged that there was some distinction between a slight accident and a serious accident, and that there should be some brief interval before the judgment took place. He thought the difference between twenty-eight and fourteen days was a very slight one; but he suggested as a compromise twenty-one days instead of fourteen or twenty-eight, during which opportunity would be given of distinguishing between a slight and a serious accident. The Amendment of his hon. friend had this advantage, that they would be freed from the litigation that might arise from the definition of what was a serious accident. Statistics showed that employers had not exhibited the slightest desire to drive a hard bargain, and an arrangement might be come to which would satisfy both parties, and at the same time cause no injury to any industry.

MR. MARKHAM said he did not think the hon. Member for North Ayrshire was a great employer of labour, or that the hon. Member for St. Ives had any large experience of the working of the present Workmen's Compensation Act. In France if a man met with an injury the compensation was paid in nine days.

In practice the man before he got compensation had to go to the office and be inspected by the manager, and if the manager had any doubt he went to the doctor and got a certificate. Under the law in this country as it had been for the last ten years thousands of men who were earning only 25s. or 30s. a week had gone to work after meeting with an accident when they were not fit to work. He spoke from experience on this subject. An hon. Member had spoken of the cost of compensation as being 2d. per ton of coal raised in Wales. Since the Act of 1897 was passed there had been more money made in the coal trade than in any period since 1870; and at the present time they were making more money in Wales in the coal trade than they knew what to do with. The whole burden that Parliament had put on the trade did not amount to more than 1d. or 1½d. a ton. That did not amount to more than a quarter per cent. on the dividends of the coal companies. It was their duty when they saw all the wealth being piled up in the country to do what they could to protect the lives of those who created that wealth.

Mr. HARMOOD-BANNER (Liverpool, Everton) said that the hon. Member for Mansfield spoke as if he were the only colliery proprietor in the House, and had suggested that the charge on colliery owners was by no means a heavy burden. But he could assert that the charge for compensation on colliery owners was equal sometimes to 3½d. or 4d. per ton; and if the right hon. Gentleman intended to impose a further 1d. per ton he would be laying a heavy burden indeed on the employers of labour. He made no appeal on behalf of the employer. He and his friends came there to do their duty to the workmen and to see that they were compensated when injured. But there were questions to be considered over and above money compensation—the question of good order and discipline in a colliery. It was absolutely necessary to have in a colliery foremen and oversmen to see that the men did their duty and did not sit down resting themselves when they ought to be taking part in the work which they were paid to do. If that sort of thing took place in the works, what happened at home? The man often laid up for a fortnight when he only ought to lay up for two days. The question of labour was a very serious one for employers, because their machines had to be going and their establishments to be kept working even if they were short of hands. Statistics were brought before him from month to month regarding the working of the Compensation Act, and anyone looking through the list would see how very small was the number of cases in which compensation was awarded, and that in the main they were of a trivial character, such as injury to a finger and things of that kind, so that if a man desired to get back to work he could do so in a very short time. Many of the accidents were not indeed of a real or serious character, and, without accusing the men of malingering or being wicked or careless, he did not desire, as hon. Members below the gangway did, that they should be put in a stained glass window. It was the fact that men who had sustained a slight accident were very apt not to come back to work if there was any temptation to keep them at home. One great temptation occurred when a pit was working half time and there were only three working days. A man would say that there was no need for him to go to work because he was getting half wages, and as they were only working half time it was better for him to stop at home. In the cause, not only of the worker, but of the discipline and proper working of the pits, he urged this proposal. He knew very well he would not get a favourable decision, but he wished to point out that the employers had a very strong feeling on this point, for an inducement was being removed by means of which men would be brought back to work. They certainly approved of the clause suggested by the hon. Member for Ayrshire, because it really gave effect to a reasonable proposal. The House had taken away from the employers their powers in regard to wilful misconduct, and the power of preventing a workman from going into an infectious place, and he thought that here at all events they ought to have some protection. He had no feeling against the men; in fact, in one of the works with which he was connected the owners had left the whole payment and management of the compensation fund to the men, and since they had done so their costs and charges had been greatly reduced. That was a great credit to the men. While it was the master's purse they were dipping into they felt that it was a very wide and deep one, but immediately the fund came under the control of their fellows they seemed to have a higher standard as between each other and to feel that they had not the same fund to dip into. The proposal under which encouragement would be given to a man to delay his return to work would be a great injury to the country and the general prosperity of the workmen. He felt it right to make this protest, as the employers' views should be known, and they felt themselves injuriously affected by this clause.

Mr. KEIR HARDIE hoped the debate would not be continued, in view of the understanding that it should finish about eight o'clock.

Question put.

The House divided:—Ayes, 57; Noes, 307. (Division List No. 463.)

AYES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Balfour, Rt. Hn. A. J. (City Lond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Cory, Clifford John
Craig, Capt. James (Down, E.)
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Kimber, Sir Henry
King, Sir Henry Seymour (Hull)
Liddell, Henry
Lonsdale, John Brownlee
Magnus, Sir Philip
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Percy, Earl
Powell, Sir Francis Sharp
Ratcliff, Major R. F.
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Walrond, Hon. Lionel
Williams, Col. R. (Dorset, W.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

Tellers for the Ayes—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, William (Rhondda)
Agnew, George William
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers.
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn W. C. B. (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Dev'np'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bethell, Sir J. H (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J T (Cheshire
Bryce, Rt Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Carr-Gomm, H. W.
Causton, Rt. Hn Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J (S. Pancras, W.
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.

Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crossley, William J.
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W.H.(St.Pancras,N
Dilke, Rt. Hon. Sir Charles
Dillon, Joohn
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C.(Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferguson, R. C. Munro
Ffrench, Peter
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glover, Thomas
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir(MerthyrTydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Henderson, J.M.(Aberdeen,W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Macdonald,J.M (FalkirkB'ghs)
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh,Jeremiah (Down, S.
MacVeigh, Charles(Donegal,E.)
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Markham, Arthur Basil
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morley, Rt. Hon. John
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson,CharlesN.(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Hare, Patrick
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Partington, Oswald
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Philipps, Col, Ivor(S'thampton
Philipps. Owen C. (Pembroke)
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Renton, Major Leslie
Richards, Thomas(W.Monm'th
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt.Hn.E.(Dundee)
Robertson, SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smith, F.E.(Liverpool,Walton)
Smyth, Thomas F.(Leitrim, S.)
Snowden, P.
Spicer, Sir Albert
Stanley, Hn. A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, SirA.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr
Thomasson, Franklin
Tillett, Louis John
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.
Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent

Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Wedgwood, Josiah C.
Whitbread, Howard
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williamson, A.
Wilson, T. W. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Amendment proposed to the Bill—

"In page 17, line 1, after 'that,' to insert the words '(a) if the incapacity lasts less than two weeks no compensation shall be payable in respect of the first week.'"—(*Mr. Gladstone.*)

Amendment agreed to.

*MR. GLADSTONE said the Amendment he now moved was brought forward in accordance with a declaration made in the Standing Committee. The clause as originally produced contained a provision for a special rate of compensation in the case of old men, but it did not find favour with the Committee, and was withdrawn on the understanding that an Amendment of it should be brought up on Report drafted in such a way as to include injured and maimed men. In order that the House might be able to express a free and unfettered opinion he should not move this as a Government clause, and hon. Members would have to make up their minds as to the way in which they should vote. The Departmental Committee, which took a great deal of evidence on this point, came to a very clear decision upon it. They thought that in consequence of the difficulty which aged, infirm, and maimed men had in finding occupation, some special arrangement ought to be made by which that difficulty should be as far as possible diminished, and they recommended that it should be in the power of the employer and the workman to contract for a lower rate of compensation. He had always recognised that this was a question which directly and immediately concerned the working men and working women of the country, and he would not venture to put an imperfectly formed opinion of his own against the actual experience of those immediately concerned. He knew hon. Members opposite and on his own side of the House below the gangway were not favourably disposed towards this proposal, but there was a great deal of evidence given to the Departmental Committee in its favour. In the new form which this Amendment took the Government were careful not to obtrude any particular age at which a man should be brought to the notice of his employer. There were Amendments on the Paper to this proposal, one of which said that when a man reached the age of sixty it should be brought to the attention of the employer. He was absolutely opposed to any such thing. After full examination he had come to the firm conclusion that it would be most ill-advised for the House to enact that when a man reached the age of sixty it should be brought under the notice of his employer and, what was more important, under the notice of the insurance company, and that he should be stigmatised as being not worth the wages of an able-bodied man. He heard with great pleasure a statement made by the Chancellor of the Exchequer of his hope that at no distant date he would be able practically to deal with the question of old age pensions. Let it not be supposed that the proposal, if carried out, would meet all the difficulties of the clause before the House. It might or it might not meet the case of the old men, but it would not meet the difficulty of those who were maimed or enfeebled through some physical cause connected with their employment. The evidence given before the Departmental Committee seemed to him to show strongly that the workmen were in favour of the proposal he now submitted. He hoped the House would give its best attention to the case, and form an impartial judgment on a question which was of great importance to a vast army of men.

Amendment proposed to the Bill—

"In page 17, after the words last inserted, to insert the words, '(b) in the case of a workman who has, in accordance with regulations made by the Secretary of State, obtained from a certifying surgeon a certificate to the effect that on account of old age, or of the loss of an eye or a limb, or of any other serious physical infirmity or incapacity specified in the regulations, he is specially liable to serious accident if employed in any employment of any class specified in the certificate, and who has entered into an agreement in writing with his employer as to the maximum amount of compensation to be payable to him under this Act, the compensation, if payable in respect of an accident happening to the workman whilst employed in an employment of any such class, shall not exceed that maximum, but the maximum shall not be less—(i) where death results from the injury and the workman leaves any dependants, than fifty pounds; (ii) where total or partial incapacity for work results from the injury, than a weekly payment during the incapacity of ten shillings; and "—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. BARNES said that, on behalf of his colleagues, and, he believed, on behalf of every humane and sympathetic man in the House, he rose for the purpose of strongly opposing this Amendment. He believed the Government were seriously and anxiously desirous to do something to mitigate the hard lot of the man who had been overtaken by old age and infirmity. They all admitted that evil, and they knew that owing to the increasing intensity of workshop life and industrial competition there was not the same chance of employment at sixty or even at fifty. It was a case of "too old at forty" in many occupations requiring physical strength rather than any special aptitude. Therefore so far as that particular phase of the question was concerned they all admitted the evil. They believed that the Government were seriously anxious to grapple with it, but he maintained that the proposal now made, so far from being likely to do old men any good, was far more likely to do them serious injury. In the Bill as it was presented to the Committee the proposal was that a man should be barred from employment or should have a smaller amount of compensation when he reached sixty years of age. That was bad enough. There was no special duty thrust upon the man of saying anything about his age, which was to be left to somebody outside. That also was bad enough, because probably the insurance companies would have their agents around and would do something to induce the employers to discharge old men. What did they find now? Instead of having a hard and fast rule of sixty years or something of that sort, and instead of anything in the nature of a guiding principle in the clause, they had a vague and loose proposal. A man might at forty or fifty, after a life of toil, find his eyes getting dim and his back weaker, and in the proposal of the Home Secretary there would be a temptation for him to go to a certifying surgeon and get a certificate with which he could go to his employer and contract himself out of the Act of Paliament. [OPPOSITION cries of "Why not?"] There were many reasons. They, as trade unionists, were engaged—as some of the hon. Members above the gangway in a particular profession—in upholding a certain standard of pay, and they knew that anything that made it easier for a man suffering from physical disability arising from approaching old age to dissociate himself from his fellows and individually sell his labour under the standard wage, as he would be tempted to do under this proposal, would tell not only against the man but against the whole class to which he belonged. They felt strongly in this matter, and were convinced that this proposal was one of the worst things in the Bill. He appealed to the House to reject what they were convinced would be a serious blot upon the Act.

Mr. ELLIS DAVIES (Carnarvonshire, Eifion) quite agreed that there were injuries so severe as to increase the liability to accidents. On the other hand, it seemed to him there would be very serious difficulty created by this Amendment in deciding what did or did not impair the efficiency of a workman. For instance, it was stated that the loss of an eye was sufficient to impair efficiency, but in a very recent case the doctor, on behalf of the insurance company, swore that the loss of an eye did not impair the efficiency of a quarryman. The best argument against the suggestion that old age should be taken into account in estimating compensation was that he knew no insurance company which asked any question on the proposal form as to the age of the workman to be insured. The reason was that as a rule old men were more careful and were not put to do the most dangerous work, besides which, if a young man were permanently injured, the liability of the insurance company in the ordinary course of events would last many years compared with the duration of their liability in the case of an accident to an old man. He had received from a committee of the Accident Insurance Offices a large number of suggestions for Amendments to this Bill, but it was rather significant that there was no suggestion made by them that old age should in any way affect the question of liability.

MR. MARKHAM appealed to the House to follow the lead of the Home Secretary in this matter. The questions involved excited a good deal of interest amongst the working men in the country. It was a fact that a certain section of his constituents disagreed with him on the matter. He thought that on this question, however, employers of labour were better judges than the representatives of the working men. Notwithstanding what the hon. Member for the Eifion Division had said, to his own personal knowledge there were large industrial companies which refused to set men on who had attained the age of between sixty and seventy, because of the fear of having to pay compensation. Reference had been made to the fact that no insurance company asked any question about old men. This was quite true, but with a very large experience of insurance under the Act he could say that there was no company which yet knew what the cost of insuring was, and that their rates of insurance had been rapidly rising, some 30 per cent. having been added in the last year. As for mutual insurance societies, he had one in his mind which made it a rule that no old men were to be employed. He asked the House to consider whether the interests of old and infirm workmen were really served when they told the employer that unless he paid the full rate of compensation he could not employ such men. He thought it one of the greatest hardships that could be inflicted on old men to debar them from obtaining employment because of the extra charge on the employer. It might be said that he was speaking from a selfish point of view. So far as his own personal interest was concerned it made not a farthing of difference to him, because the companies he was connected with were insured, and he only supported the Amendment because he did not wish to see employment closed to a large body of men. The hon. Member for the Blackfriars Division of Glasgow said his object in opposing this proposal was to maintain a high rate of compensation for the old men. Under State Socialism it might be possible to secure the same compensation to old men as to others, but while they were dealing with the state of affairs in which large joint stock companies operated for purposes of gain it was not practicable. In the interest of the old men, many of whom were to-day prevented from getting employment by the Act of 1897, he supported the Home Secretary in his Amendment.

MR. J. WARD (Stoke-on-Trent) said that some hon. Members so far had agreed to extend the Act to all sorts of workpeople, but they were now anxious to limit the Act when dealing with the question of old age. It would be a great mistake to accept the proposed Amendment. The hon. Member for the Mansfield Division had called attention to one phase of the Amendment which seemed to him to answer itself. He had asked whether it was fair that an employer should be required to pay the same rate of compensation in case of accident to a man who was infirm as to a man who was strong and perfect. It was a moral certainty that no employer would take an infirm man into his employment at the same rate of wages as one who was sound and healthy. The consequence would be that in case of an injury, which would be rare, considering the kind of work given to these men, the compensation would be reduced in exactly the same proportion.

MR. MARKHAM said that unless a man was employed as watchman he was, by the rules of the trade unions, to be paid trade unions wages, or none at all.

MR. J. WARD said that was not the case. It was impossible for a carpenter with one arm to do the same work as a carpenter with two arms, and a collier would be in the same position. Almost all the men employed by the hon. Member for the Mansfield Division were employed at piece-work, and if there was any deficiency in ability to work the remuneration was reduced, and the compensation payable was in proportion. As to the evidence of trade unionist leaders before the Departmental Committee, it only amounted to this, that men in certain trades who looked old and decrepit stood a much smaller chance of employment than those who looked fit and strong and in good health, and an exactly similar statement could have been made before the Act of 1897. The difficulty for old men to get employment prevailed prior to the Workmen's Compensation Act, and would always prevail, for naturally the employer wanted to get young, healthy, able-bodied men, if he possibly could. The old men were naturally at a disadvantage, and he feared that disadvantage would be increased if the Amendment were passed. There was one point in the evidence before the Departmental Committee upon which he would like to say a word from personal knowledge. A witness, who was not a practical man connected with the trade but a grocer, said that since 1897 it had been more difficult for old men to get employment in the building trade. As one with personal experience he ventured to say that in the building trade there was, as a matter of fact, no discrimination. Every employer would admit that a man over forty-five—it might be sixty-five—was, except in some special cases, a much more careful man to have on a scaffold than a young man from nineteen to thirty, and, as a matter of fact, contractors specially selected old and tried men for dangerous work. He had been a foreman himself, and he would not have put on an eighty feet or ninety feet scaffold giddy young fellows who looked at everything that occurred, but good old greybeards who were steady and paid attention to their own business. There was another way of looking at the matter. An old man, when he received an injury, required greater attention and greater care than a young man, and on humanitarian grounds alone he considered the Amendment as most unfortunate. Those who really represented the interests of working class constituencies had only one course to pursue, and that was to oppose the Amendment by all means in their power.

*MR. HERBERT SAMUEL said he was glad to find that the Government was given credit for good motive in this matter. As a rule in these debates he found an economic motive on one side and a humanitarian motive on the other. The question generally was how much they could afford to do for the needy and distressed. In this case it was a conflict between two motives. There was a desire to do what could be done for the aged and infirm, and there was the desire not to lower the general standard of compensation under the Workmen's Compensation Act. He admitted that there was much to be said on both sides, and for that reason the Government desired the House to express its opinion freely upon it. The hon. Member for the Blackfriars Division was right in saying that employers might use a provision of this kind to bring pressure on men to whom it was not really meant to apply, and for purely selfish reasons to induce them to accept a lower scale of compensation. It was true, also, that in all legislation of this kind exceptions were an evil thing. The fewer exceptions they had to the general law the more smoothly would the Act work, and the less litigation there was likely to be. On the other hand, the Government had to take into account the specific cases to which their attention had been drawn, and they felt that by this Bill they were running the risk of the heavy responsibility of turning thousands of men out of the employment in which they were engaged or preventing them from securing the employment which they might otherwise obtain. He mentioned a case in which a gentleman residing in Devonshire had written to the Home Office stating that he was anxious to employ a gardener and to insure him under the Compensation Act. The gardener suffered from epileptic fits, and the Ocean Insurance Company stated that it was quite impossible to cover a man suffering from a complaint of that kind. Representations had also been received from persons interested in the deaf, dumb, and blind, showing the hardships to which persons suffering from these infirmities were subjected owing to the obligations in the way of compensation which were thrown on employers who from charitable or other motives engaged them. Parliament was now extending this measure to all employers, and if a man was rejected by one employer on account of these infirmities he ran the risk of being rejected by all. As to the aged, he thought the difficulty in their case was not so great in that particular as in the case of persons suffering from the loss of sight, or hearing, or from other special infirmities. The trade unionists throughout the country had indeed always urged that the Act caused hardship to the aged, and at their annual conference the Miners' Federation had passed a resolution unanimously declaring that in consequence of the large number of aged workmen dismissed from their employment on account of the Workmen's Compensation Act it was necessary to provide a system of old-age pensions. He thought that perhaps trade unionists had an interest in making out that the case was rather a bad one in order to show the necessity for old age-pensions, while employers had an interest in presenting the case as a bad one in order to show how workmen might suffer if compensation was carried too far. For his own part he was a little sceptical as to whether the Compensation Act had had the effect of throwing old men out of employment merely on account of their age, and he thought the putting in of the figure sixty, as suggested in this Amendment, might possibly be liable to abuse. If it would meet the opinion of the House generally the Government would have no objection to leaving out the words "old age or" and leaving the Amendment to apply to persons suffering from the loss of an eye or limb or any other serious physical infirmity or incapacity specified in regulations. That would of course include infirmities which were due to old age. As he had said, the Government recognised that there was a great deal to be said on both sides, and doubtless in coming to a decision every Member would take the course which, on balancing the arguments, he thought would most conduce to the good of the classes concerned.

MR. STUART WORTLEY (Sheffield, Hallam) said it was but a short time since the *Spectator*, in one of its weekly lectures, stated that nobody ought to be admitted into the Cabinet after the age of fifty. He supposed they must sorrowfully admit that the race had changed. He remembered the high hopes he had when the Compensation Act of 1897 was passed that they were going to confer real benefits, without any deductions, upon the working classes. That, however, had proved to be a delusion. In one of his elections—and he had no doubt that others had had a similar experience—it was used as a point against him that the Workmen's Compensation Act had caused the refusal of employment to men in some instances who had reached no greater an age than forty-five. The Home Secretary was applying to that difficulty a very well-meant palliative and a substantial measure of relief. He noticed that no alternative scheme had been proposed by the Labour Party. They argued that it would be the object of a workman to seek a lower scale of compensation, and thereby lower, not only the scale of compensation, but also the standard rate of wages. Labour Members forgot that it was not likely that the workman would seek the lower scale except when a certain event had happened. Who would seek it unless and until he found that the employer to whom he applied for employment said that he could not give him work because of his age or infirmity? In that case, what comfort did the hon. Members below the gangway offer to the man? When he got outside the yard, it would be very poor compensation to him to be told that in his deserted condition he was doing something to maintain some theoretical principle of the solidarity of trade unions for the maintenance of the standard rate of wages. The working man in such a condition would be apt to think too much was being done by Parliament for young able-bodied men. It was possible to pay too high a price for an aristocracy of labour.

MR. KEIR HARDIE rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That those words be there inserted in the Bill."

The House divided:—Ayes, 133; Noes, 211. (Division List No. 464.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex F.
Allen, Charles P. (Sroud)
Anson, Sir William Reynell
Anstruther-Gray, Major
Armitage, R.
Ashley, W. W.
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)

Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S.Harmood-
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Beauchamp, E.
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Beckett, Hon. Gervase
Benn, W.(T'w'rHamlets,S.Geo.
Bertram, Julius
Black, Arthur W. (Bedfordsh.)
Bowles, G. Stewart
Boyle, Sir Edward
Bramsdon, T. A.
Bridgeman, W. Clive
Bright, J. A.
Brocklehurst, W. B.
Bryce,Rt.Hn.James (Aberdeen
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Chas.
Carlile, E. Hildred
Cave, George
Cavendish,Rt.Hn.Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone,E.)
Cheetham, John Frederick
Cochrane, Hon. Thos. H. A. E.
Cory, Clifford John
Crossley, William J.
Davies, David(MontgomeryCo.
Dickson-Poynder, Sir John P.
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Dunne,MajorE.Martin(Walsall
Elibank, Master of
Erskine, David C.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, George Denison (York)
Faber, G. H. (Boston)
Ferguson, R. C. Munro
Finch, Rt. Hon. George H.
Fletcher, J. S.
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Furness, Sir Christopher
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Gladstone,Rt.Hn.HerbertJohn
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Haldane, Rt. Hn. Richard B.
Hamilton, Marquess of
Hardy,Laurence(Kent,Ashford
Harmsworth, Cecil B. (Worc'r)
Harrison-Broadley, Col. H. B.)
Hemmerde, Edward George
Henderson, J.M.(Aberdeen,W.)
Herbert, T. Arnold (Wycombe)
Hills, J. W.
Hobart, Sir Robert
Hope,W.Bateman(Somers't,N.
Isaacs, Rufus Daniel
Keswick, William
Kincaid-Smith, Captain
King, Sir HenrySeymour(Hull)
Kitson, Rt. Hon. Sir James
Lambert, George
Lambton, Hn. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lupton, Arnold
Luttrell, Hugh Fownes
Maclean, Donald
M'Callum, John M.
Magnus, Sir Philip
Manfield, Harry (Northants)
Marks, H. H. (Kent)
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Morpeth, Viscount
Morrell, Philip
Myer, Horatio
Napier, T. B.
Partington, Oswald
Pease, J. A. (Saffron Walden)
Percy, Earl
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, John FrederickPeel
Roberts, John H. (Denbighs.)
Robertson,Rt.Hn.E. (Dundee)
Ropner, Colonel Sir Robert
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Sinclair, Rt. Hon. John
Spicer, Sir Albert
Stewart-Smith, D. (Kendal)
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Thomas,Sir A. (Glamorgan, E.)
Thomasson, Franklin
Tomkinson, James
Valentia, Viscount
Walrond, Hon. Lionel
Walton, Sir John L. (Leeds, S.)
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
Whiteley, George (York, W.R.)
Whittaker, Sir Thomas Palmer
Williams, Col. R. (Dorset, W.)
Williamson, A.
Wills, Arthur Walter
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Younger, George

TELLERS FOR THE AYES—Mr. Markham and Mr. Samuel Roberts.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Alden, Percy
Atherley-Jones, L.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barnard, E. B.
Barnes, G. N.
Beaumont, Hn.H.(Eastbourne)
Bell, Richard
Bellairs, Carlyon
Benn,SirJ.Williams (Devonp'rt
Bennett, E. N.
Bethell,SirJ.H.(Essex,Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Branch, James
Brigg, John
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce,J.A.(Inverness Burghs)
Burke, E. Haviland-
Burnyeat, W. J. D.
Byles, William Pollard
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Chance, Frederick William
Channing, Sir Francis Allston
Cleland, J. W.
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Corbett,CH.(Sussex,E.Grinst'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W.H.(St.Pancras,N.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Esmonde, Sir Thomas
Essex, R. W.
Farrell, James Patrick
Ffrench, Peter
Fullerton, Hugh
Gill, A. H.
Ginnell, L.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Hall, Frederick
Halpin, J.
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)

Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hazel, Dr. A. E.
Higham, John Sharp
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Howard, Hon. Geoffrey
Hutton, Alfred Eddison
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor (Swansea)
Jowett, F. W.
Kearley, Hudson E.
Kelley, George D.
Kennedy, Vincent Paul
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Macdonald, J.M.(FalkirkB'ghs
Macpherson, J. T.
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Nicholls, George
Nicholson, Chas. N.(Doncast'r)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, Jas. (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Hare, Patrick
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Perks, Robert William
Philipps, Col.Ivor(S'thampton)
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Priestley, Arthur (Grantham)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G.Scott(Brad'd
Robinson, S.
Rogers, F. E. Newman
Rutherford, V. H. (Brentford)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Seaverns, J. H.
Seddon, J.
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Snowden, P.
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, David Alfred (Merthyr
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
White, George (Norfolk)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Wiles, Thomas
Wilson, Henry J. (York, W.R.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon

TELLERS FOR THE NOES—Mr. Fenwick and Mr. Shackleton.

*MR. GILL moved to leave out the latter part of the proviso after the words "ten shillings" in order to insert the following words—"Provided also that this section shall apply to a workman who is over twenty-one years of age, whose average weekly earnings are less than twenty shillings per week, if he is employed in the same grade, in the same class of employment, in the same district as a workman under that age." His object was more than anything else to prevent an anomaly. They had been arguing for many years past against the large number of anomalies which existed in the present Act, and he wanted this Bill to become an Act, if possible, without any anomalies whatever. The clause as it stood at present read that—

> "As respects the weekly payments during total incapacity of a workman who is under twenty-one years of age at the date of the injury, and whose average weekly earnings are less than 20s., 100 per cent. should be substituted for 50 per cent. of his average weekly earnings, but the weekly payment shall in no case exceed 10s., nor 50 per cent. of the average weekly earnings of a person over twenty-one years of age, employed in the same grade in the same class of employment and in the same district."

That provision was evidently designed to deal with the system of apprenticeship which generally ended when the apprentice was twenty-one years of age. But he would call attention to the fact that the system of apprenticeship had largely decreased. In the cotton trade at the present time men did not get the full wage until long after they were twenty-one years of age. In the last fifty years apprenticeships had been done away with in the cotton trade and in many other trades, and he wanted to point out the anomaly which the Bill would create in its effect upon the spinning portion of the cotton trade and in other trades. Three persons were engaged at the spinning wheels—a spinner with two assistants under him. One of these assistants ranged from thirteen to eighteen years of age, and was called a "little piecer," and he received a wage varying, according to the size of the machine and the rate at which they were running, from nine shillings to fifteen shillings a week. Under this Bill the person who received nine shillings a week would get a hundred per cent. of his wages in the way of compensation, but the person who got ten eleven, twelve, or thirteen shillings a week would only get ten shillings a week. The "big piecer," the man next to the spinner, would receive generally sixteen to nineteen shillings a week, many of which were over twenty-one years of age. At all events 5,000 of the "big piecers" were over twenty-one years of age. The result of this Bill would be, therefore, that the "little piecer" would receive ten shillings a week as compensation while the older man would only receive eight or nine. This was the anomaly of which he complained. The men worked side by side and the man in superior position received less than the man beneath him. That he thought was a ridiculous principle. The anomaly was the greater as the "big piecers" had to wait for promotion to the post of spinner, but the men were willing to wait and work for small wages after they came of age, because the post of spinner was well paid and the work was constant. It might be objected that his Amendment would apply to the agricultural labourer, but why should it not do so, as it only provided for a minimum of ten shillings a week, although his wages were, it was true, only twelve, fourteen, or fifteen shillings a week.

MR. HARWOOD (Bolton) seconded the Amendment, and said as one who employed a good many people he thought it was a reasonable one. It might be asked why men in their trade were paid such small wages. It was because there were many posts which were highly paid, and therefore the men were prepared to wait for them, looking to be rewarded when they attained promotion. The anomaly which his hon. friend had pointed out ought to be removed. It was ridiculous that a man under twenty-one years of age might be getting two or three shillings a week more than the man who was over that age and who was working at a low wage because he was awaiting promotion. If his hon. friend had done anything to procure that the agricultural labourer over twenty years of age should never get less than ten shillings a week, in his judgment he had done an excellent thing. The principle of the Bill seemed to be that the lower the workman's wages the higher the amount of compensation, and they only asked for a fair adjustment.

Amendment proposed to the Bill—

"In page 17, line 6, after the word 'shillings,' to insert the words 'provided also that this section shall apply to a workman who is over twenty-one years of age, whose average weekly earnings are less than twenty shillings per week, if he is employed in the same grade in the same employment in the same district as a workman under that age.' "—(*Mr. Gill.*)

Question proposed, "That these words be there inserted in the Bill."

SIR W. ROBSON admitted that there would be an anomaly, but it had been created out of a desire to deal generously with minors, to whom it was shown it would be a hardship in case of incapacity from accident if the wages they received were taken as a standard for the rest of their lives. Now it was pointed out that some persons under twenty-one might get more wages than others over twenty-one. If there was any grievance it was trivial in amount and that could scarcely be considered a grievance which was an excess of generosity to one class not extended to another. It was proposed to abolish the limit of twenty-one years and to substitute a vague test scarcely to be defined. With an arbitrary limit there would always be anomalies, but the Government must stand to the well-understood limit of twenty-one years and could not, to meet a few anomalous cases, make a change that would introduce great confusion in the administration of the Act and unknown difficulties in many trades.

Question put, and negatived.

Drafting Amendment agreed to.

*MR. GLADSTONE moved to substitute the following rules for computing the weekly payments during total incapacity for those contained in the section: "(a) Where the workman was employed exclusively by one employer at a fixed weekly or other periodical wage, the amount per week of that wage shall be his average weekly earnings; (b) where the workman was not employed at such a wage, his average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which he was being remunerated. Provided that where by reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district; (c) where the workman was engaged under contracts of service with two or more employers his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident.'" The right hon. Gentleman said this was a rather long Amendment, but its object was to make the whole provision clear, and it was rather a matter of drafting than anything else. The practical effect under the proposal was that under paragraph(a) they dealt with fixed weekly earnings, and under (b) they dealt with the piece worker. This would save much discussion before the arbitrator. If any case arose which could not be dealt with under (a) and (b), they came under the proviso which was incorporated in the Amendment. The noble Lord the Member for East Marylebone had, with his usual courtesy, brought to the attention of the Government a point that was necessary to deal with. The noble Lord had pointed out that in the case of sailors and others it was necessary to include board and lodging in the wages paid, in order to arrive at a proper estimate of their earnings. To meet that he would move to insert instead of "wages" the word "earnings." He thought that Amendment would meet the views of the noble Lord, because in "earnings" was included board, lodging, coals, and other things necessary to the person's occupation. But if on further consideration that was not found to be sufficient to meet the noble Lord the Government would find other words and insert them in another place.

Amendment proposed to the Bill—

"In page 17, line 10, after the word 'schedule' to insert the words 'the following rules shall be observed, (a) where the workman was employed exclusively by one employer at a fixed weekly or other periodical wage, the amount per week of that wage shall be his average weekly earnings; (b) where the workman was not employed at such a wage, his average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which he was being remunerated. Provided that where by reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district; (c) where the workman was engaged under contracts of service with two or more employers his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident.'"
—(*Mr. Gladstone.*)

Question proposed, "That those words be there inserted in the Bill."

LORD R. CECIL thought the Government had dealt with the point he had brought to their attention very fairly, though he did not much admire their wording. The point was of such importance that he would like to state it once more. In the case of sailros or domestic servants, their earnings depended partly on their wages and partly on board and lodging. It was quite clear that some provision should be made to include in the sum given as compensation both the board and lodging as well as the wage paid. So long as that was in the mind of the Government and the Government draughtsmen would make it clear in the

Bill he was content, although he thought his words dealt with the matter in a better form than those of the Government.

SIR W. ROBSON thought the word "earnings" was adequate to the propose, but if, on consideration, that was found not to be so, the Government would find other words.

Amendment agreed to.

Amendments proposed—

"In page 17, lines 11 and 12, to leave out the word 'continuous.'

"In page 17, line 13, to leave out the word 'injury,' and to insert the word 'accident.'

"In page 17, line 15, to leave out the words 'for a period exceeding two weeks.'"—(*Mr. Gladstone.*)

Amendments agreed to.

MR. SAMUEL ROBERTS moved an Amendment to exclude such sums as were paid to a workman for any outlay entailed upon him by his employment from being reckoned as part of his earnings. He said the Amendment was rather in the nature of a verbal Amendment than one of substance, as he thought the object of his right hon. friend was the same as his own. An allowance for all those things which were required by the workman and his work, such as oil for his lamp, and for keeping his pick sharp and matters of that kind, which were given by the employer, were held by the Courts to be his gross earnings. The Departmental Committee, who went closely into the matter, pointed out that in the face of recent decisions the word "earnings" might have the effect of laying a much heavier burden on the employer than was intended. They contended that "earnings" should mean net earnings. He moved this Amendment because he thought the words of the Bill did not carry out the intention of the departmental committee. The words "special expenses" could not, he thought, be held to include such things as he had mentioned, whereas if his Amendment was accepted it would make perfectly clear what was intended. He begged to move.

SIR FRANCIS POWELL (Wigan) formally seconded.

Lord R. Cecil.

Amendment proposed to the Bill—

"In page 17, line 16, to leave out from the word 'employer,' to the word 'and,' in line 19, and insert the words 'pays to the workman a sum to include any outlay entailed on him by the nature or conditions of his employment the sum so paid shall not be reckoned as part of the earnings.'"—(*Mr. Samuel Roberts.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR W. ROBSON thought the Amendment hardly carried out the intention of its proposer. If it did he could only say he would regretfully have to ask the House not to accept it. The hon. Member evidently desired to restrict the compensation of the workman to what was called "net earnings," and it would be practically impossible in dealing with these matters to embark on a large inquiry as to what the net earnings were. If a man were employed at Westminster and lived at West Ham his fare to and fro and matters of that sort would have to be considered. He hoped the hon. Gentleman would not press the Amendment.

MR. WALSH said a more insidious proposal had never been made to the House. In many cases the effect so far as miners were concerned would be that, not only would the miner have to work for nothing, but he would positively at the end of the week or the fortnight, after having made deductions for his picks, explosives, lamps, and so on, be in debt to his employer.

Amendment negatived.

Amendment proposed to the Bill—

"In page 17, line 19, to leave out from the word 'earnings,' to end of line 25.'"—(*Mr. Gladstone.*)

Amendment agreed to.

*MR. W. T. WILSON (Lancashire, Westhoughton) moved to delete from the schedule the words which provided that in fixing the amount of the weekly payment for partial incapacity the average amount the workman was "fit to earn in some suitable employment or business" should be taken into consideration. The clause, he said, if carried, would place a workman in a peculiar position. If he accepted light employment and then lost that employment he would get no compensation afterwards. The workman indeed would be placed in two difficult positions. If he accepted light work in some other employment the question would arise, did he voluntarily leave the employer for whom he was working when he met with the accident? If it were found that he did, the compensation would cease, and therefore he hoped the right hon. Gentleman would accept this Amendment.

Amendment proposed to the Bill—

"In page 17, line 31, to leave out from the word 'earning' to the word 'after, in line 32."—(*Mr. W. T. Wilson.*)

Question proposed, "That the words 'or is,' stand part of the Bill."

*MR. GLADSTONE said he could not accept the Amendment, the effect of which might be to lead a workman to refuse some other employment for which he was properly competent.

Amendment negatived.

Amendment proposed to the Bill—

"In page 17, line 31, to leave out the word 'fit,' and insert the word 'able.'"—(*Mr. Walsh.*)

Amendment agreed to.

MR. WALSH moved to insert words to ensure that the suitable employment or business in which the partially incapacitated workman was fit to earn wages should be "open to such workman." The reason for these words was that a man might be able to earn wages at an employment, but that if the employment were not open to him the difficulties would still remain. If a man refused such employment as was open to him the argument of the employer would be overwhelming. All that the Amendment asked for was that the compensation should be assessed at the workman's capacity to earn wages.

MR. W. T. WILSON seconded.

Amendment proposed to the Bill—

"In page 17, line 32, after the word 'business,' to insert the words 'open to such workman.'"—(*Mr. Walsh.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON said the Amendment was not necessary, especially after the insertion of the word "able."

*MR. GILL said a man might be able to do some kind of light work, but the employer said he could get sound men for the work, the employment was therefore not open to him, although he was able and willing to do it.

*MR. GLADSTONE said that if they inserted the words proposed it would mean that the arbitrator would have to consider the state of the labour market.

MR. KEIR HARDIE suggested that the words "or is fit to earn in some suitable employment or business," should be deleted.

MR. J. WARD said the question was would the employer give a man who was able to work the chance of returning to some light employment? An employer often made a job for such a man by putting an abler man to do something else, and that sometimes settled a case.

Question put.

The House divided:—Ayes, 102; Noes, 195. (Division List No. 465.)

AYES.

Alden, Percy
Atherley-Jones, L.
Barnes, G. N.
Bell, Richard
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Brooke, Stopford
Bryce, J. A. (InvernessBurghs)
Burke, E. Haviland
Burt, Rt. Hon. Thomas
Byles, William Pollard
Clynes, J. R.
Cobbold, Felix Thornley
Condon, Thomas Joseph
Corbett, T. L. (Down, North)
Cowan, W. H.
Crean, Eugene
Cremer, William Randal
Crooks, William
Dalziel, James Henry
Davies, Ellis William (Eifion)
Delany, William
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.

Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Esmonde, Sir Thomas
Farrell, James Patrick
Fenwick, Charles]
Ffrench, Peter
Fullerton, Hugh]
Gill, A. H.
Ginnell, L.
Glover, Thomas
Halpin, J.
Hardie, J.Keir(MerthyrTydvil
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Higham, John Sharp
Hodge, John
Hogan, Michael
Hutton, Alfred Eddison
Jenkins, J.
Johnson, John (Gateshead)
Jowett, F. W.
Kennedy, Vincent Paul
Lamb, Ernest H. (Rochester)
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lonsdale, John Brownlee
Lundon, W.
Macdonald, J.M.(Falkirk B'ghs
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.)
Magnus, Sir Philip
Markham, Arthur Basil
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Murphy, John
Nicholls, George
Nolan, Joseph
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Hare, Patrick
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Power, Patrick Joseph
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Roberts, G. H. (Norwich)
Rowlands, J.
Salter, Arthur Clavell
Seddon, J.
Shackleton, David James
Smyth, Thos. F. (Leitrim, S.)
Snowden, P.
Steadman, W. C.
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Vivian, Henry
Walrond, Hon. Lionel
Ward, John (Stoke upon Trent)
Wardle, George J.
White, Patrick (Meath, North)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Walsh and Mr. Brace.

NOES.

Acland, Francis Dyke
Acland-Hood,Rt.Hn.SirAlexF.
Adkins, W. Ryland D.
Allen, A.Acland (Christchurch)
Anson, Sir William Reynell
Armitage, R.
Ashley, W. W.
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Balcarres, Lord
Balfour, Robert (Lanark)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W.(T'w'rH'mlets,S.Geo.
Bennett, E. N.
Bertram, Julius
Bethell, T, R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordsh.
Boulton, A. C. F. (Ramsey)
Boyle, Sir Edward
Bramsdon, T. A.
Branch, James
Bridgman, W. Clive
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brunner,J.F.L. (Lancs., Leigh)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Butcher, Samuel Henry
Buxton,Rt.Hn.Sydney Charles
Carlile, E. Hildred
Cave, George
Cawley, Sir Frederick
Cheetham, John Frederick
Cleland, J. W.
Clough, William
Coats,Sir T.Glen (Renfrew, W.
Collins, Stephen (Lambeth)
Collins,Sir Wm.J. (S.Pancr's,W
Corbett,C.H. (Sussex,E.Gr'st'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crombie, John William
Crossley, William J.
Davies,David (MontgomeryCo.
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dickinson, W.H.(St. Pancras,N
Dobson, Thomas W.
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Elibank, Master of
Essex, R. W.
Everett, R. Lacey
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Fletcher, J. S.
Fuller, John Michael F.
Furness, Sir Christopher
Gibb, James (Harrow)
Gibbs, G. A. (Bristol, West)
Gladstone, Rt.Hn. Herbert J.
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Hall, Frederick
Hardy, George A. (Suffolk)
Hardy, Laurence (Kent, Ashf'd
Harmsworth, Cecil B. (Worc'r)
Harrison-Broadley, Col. H. B
Hart-Davies, T.
Harwood, George
Henderson, J.M. (Aberdeen,W.
Herbert, T. Arnold (Wycombe
Hills, J. W.
Hobart, Sir Robert
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman (S'm'rs't,N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hunt, Rowland
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jackson, R. S.
Jacoby, Sir James Alfred
Jones,SirDBrynmor (Swansea)
Kelley, George D.
Kennaway,Rt.Hn.Sir John H.
King, Alfred John (Knutsford)
King,Sir HenrySeymour (Hull)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lewis, John Herbert
Lockwood,Rt.Hn.Lt.Col.A. R.
Lough, Thomas
Lowe, Sir Francis William
Lupton, Arnold
Maclean, Donald
Macnamara, Dr. Thomas J.
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Masterman, C. F. G.

Menzies, Walter
Molteno, Percy Alport
Morgan, J. Lloyd (Carmarthen)
Morpeth, Viscount
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Nicholson, Charles N. (Donc'r)
Norton, Capt. Cecil William
Nuttall, Harry
Perks, Robert William
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Price, C.E.(Edinburgh, Central
Radford, G. H.
Rainy, A. Rolland
Randles, Sir John Scurrah
Raphael, Herbert H.
Rawlinson, John Frederick Peel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro)
Rees, J. D.
Ridsdale, E. A.
Roberts, John H. (Denbighs.)
Roberts, S. (Sheffield, Ecclesall)
Robertson, Sir G. Scott (B'df'rd
Robinson, S.
Robson, Sir William Snowdon
Robers, F. E. Newman
Ropner, Colonel Sir Robert
Rose, Charles Day
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester
Sears, J. E.
Shaw, Rt. Hon. T. (Hawick, B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Talbot, Lord E. (Chichester)
Taylor, Theodore C. (Radcliffe
Thomas, Sir A. (Glamorgan, E.
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Tillett, Louis John
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Valentia, Viscount
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Wason, John Cathcart (Orkney
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, Col. R. (Dorset, W.)
Williamson, A.
Wills, Arthur Walters

Tellers for the Noes—Mr. Whiteley and Mr. J. A. Pease.

Amendment proposed to the Bill—

"In page 17, line 32, after the word 'accident,' to insert the words 'but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper.'"—(*Mr. Gladstone.*)

Amendment agreed to.

Mr. HARMOOD-BANNER said that the object of his Amendment was simply to secure that where a workman deliberately refused to submit himself to a medical examination he should forfeit his right to compensation.

Sir GEORGE DOUGHTY (Great Grimsby) formally seconded.

Amendment proposed to the Bill—

"In page 17, line 38, after the word 'place,' to insert the words 'and if the Court shall be of opinion that the employer has been in any way prejudiced by the delay caused by the workman's refusal to submit himself to such medical examination, the workman's right to any compensation shall be absolutely forfeited.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That those words be there inserted."

Mr. GLADSTONE said the Government could not accept the Amendment.

In reply to Sir Francis Powell,

Mr. HERBERT SAMUEL said that it was already provided under the Bill that if a workman refused to submit himself to a medical examination he would forfeit his right to any compensation in respect of the period during which he had so refused.

Question put, and negatived.

Amendments proposed—

"In page 17, line 39, to leave out the words 'agreed or.'"

"In page 18, line 26, after the word 'where,' to insert the words 'on application being made in accordance with rules of Court.'"

"In page 18, line 26, to leave out from the word 'Court' to the word 'ought,' in line 32, and insert the words 'that on account of neglect of children on the part of a widow or on account of the variation of the circumstances of the various dependants, or for any other sufficient cause, an order of the Court as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any such dependant is to be invested, applied, or otherwise dealt with.'"

"In page 18, line 33, to leave out from the word 'may,' to the word 'make,' in line 34.'

In page 18, line 35, to leave out from the first word 'the,' to the word 'as,' in line 37, and insert the words 'variation of the former order.'"—(*Mr. Gladstone.*)

Amendments agreed to.

Mr. BRACE said he desired to modify the provision in the schedule which enabled an employer on application to the registar and without reference to the county court Judge to compel an injured workman to go before the medical referee, by providing that such application should be made in writing by both parties.

Mr. WALSH seconded.

Amendment proposed to the Bill—

"In page 19, lines 31 and 32, to leave out the words 'to the Court by either party,' and insert the words 'in writing by both parties.'"—(*Mr. Brace.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. GLADSTONE announced that he accepted the Amendment with considerable regret. The workman had now a right to go to the county court. Under the Bill he would still have that right, but he would have to go with the certificate of the medical referee, and the Judge would not be able to exercise his own independent discretion. That seemed to him be an argument rather favourable to the proposal as it stood at present in the Bill.

MR. HARMOOD-BANNER protested against the acceptance of this Amendment by the Government. He hoped this matter would be dealt with properly in another place.

MR. BRACE asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

"In page 19, line 32, to leave out the words 'either party,' and insert the words 'both parties.'"—(*Mr. Gladstone.*)

Amendment agreed to.

MR. SAMUEL ROBERTS moved to insert "shall" after "party" in line 32. The object of this Amendment was to make the provision in regard to the medical referee more effective than it had been under the old Act. The function of the medical referee under the Act of 1897 had been a dead letter, because the county court Judges had not availed themselves of their power of reference. The policy of this Bill was to increase the functions and powers of the medical referee. The Amendment would give to either party the right on payment to ask the registrar of the county court to refer the matter to the medical referee. He thought this would save litigation and facilitate the settlement of claims.

Amendment proposed to the Bill—

"In page 19, to leave out lines 33 to 38, inclusive, and insert the word 'shall.'"—(*Mr. Samuel Roberts.*)

Question proposed, "That the words proposed to be left out, to the word 'applicant,' in line 33, stand part of the Bill."

*MR. HERBERT SAMUEL said the Government could not accept the Amendment. The reason why an option was given to the registrar was that the proceedings might be found not to be of a purely medical character. The question whether the condition of the workman was due to his employment might have to be decided. If a workman or employer wished to take vexatious proceedings he might take proceedings before a medical referee and also before the county court. In order to avoid that, the registrar was to have power to refuse to make a reference to a medical referee. He would point out that if the provision regarding fees were struck out a largely increased charge would fall on the Treasury.

Question put, and agreed to.

Amendments proposed to the Bill—

"In page 19, lines 33 and 34, to leave out the words 'two pounds,' and insert the words 'one pound.'"

"In page 19, line 34, to leave out from the word 'prescribed,' to end of line 38."

"In page 20, line 3, after the word 'shall,' to insert the words 'subject to any regulations made by the Secretary of State.'"

"In page 20, line 5, to leave out from the word 'workman,' to end of line 7."

Amendments agreed to.

Amendment proposed to the Bill—

"In page 20, line 31, after the word 'employer,' to insert the words 'or workman.'"—(*Mr. John Taylor.*)

Question proposed "That those words be there inserted in the Bill."

*MR. GLADSTONE said he could not accept the Amendment. The Bill included a great mass of small employers throughout the country, and if this Amendment were carried it might have the effect of ruining a great number of them.

*SIR FRANCIS POWELL said there was no Amendment which had created greater apprehension than this, and he was glad that the Government had refused to accept it.

Question put, and negatived.

Amendments proposed to the Bill—

"In page 20, lines 36 and 37, to leave out the words 'in default of agreement.'"

"In page 20, line 43, to leave out the words 'but if he proves,' and to insert the words 'unless the medical referee certifies.'"

"In page 20, line 44, after the word 'is' to insert the words 'likely to be.'"

"In page 20, line 44, to leave out from the word 'nature' to the end of paragraph (18), and to insert the words 'If the medical referee so certifies, the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by rules of Court, his identity and the continuance of the incapacity in respect of which the weekly payment is payable.'"

Amendments agreed to.

Amendment proposed to the Bill—

"In page 22, line 37, at the end, to insert the words (a) no such memorandum shall be recorded before seven days after the despatch by the registrar of notice to the parties interested; (b) where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under the Act and the employer, in accordance with rules of Court, proves that the workman has in fact returned to work and is earning the same wages as he did before the accident, and objects to the recording of such memorandum, the memorandum shall only be recorded, if at all, on such terms as the judge of the County Court, under the circumstances, may think just.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE said that the hon. Member for Ayr Burghs in whose name the Amendment originally stood was not present. The Government agreed with him on a certain form of words, but he was not sure if the Amendment as now read carried out that agreement. However, he would accept the Amendment, and in another place the Government would make it conform with what had been agreed upon.

Question put, and agreed to.

Amendment proposed to the Bill—

"In page 24, line 8, after the word 'award,' to insert the words 'but in respect of proceedings in the Court as between principals and contractors or between employers and any other persons, or between different employers, the same Court fees shall be payable if an action were taken instead of such proceedings.'"—(*Mr. John O'Connor.*)

Question proposed, "That those words be there inserted in the Bill."

SIR W. ROBSON, on behalf of the Government, accepted the Amendment.

Question put, and agreed to.

MR. JOWETT (Bradford, W.) moved an Amendment to include in the schedule aniline poisoning and chrome ulceration as diseases affecting dye-workers. He had no intention of giving any experience of his own in support of his case, but he would quote the testimony of Dr. Whitelegge, the chief inspector of the Factory Department of the Home Office, who wrote a memorandum in 1905 in regard to the two diseases mentioned, in which he said—

"The vapour of aniline oil as used industrially is known to give rise to definite symptoms of ill health by inhalation, mainly by absoption through the skin and by the decomposition of salts which are allowed to dry on the clothes."

As to chrome poisoning Dr. Whitelegge reported—

"Chromic acid or solutions of the alkaline bichromatics cause ulceration of the skin, which commences frequently, but not always, after an abrasion of the skin. . . . In club dyeing the chrome affection in susceptible persons had been found to take the form of papular eruption on the hands, especially round the knuckles, on the palms, in the fold between the thumb and first finger, and about the wrists and forearms. Constant contact with the solution causes the papule to burst, leaving the chromic ulceration condition so often found in workers."

He submitted that that was quite good enough evidence as to the existence of these industrial diseases, and he could not imagine on what grounds they should not be included in the schedule. He begged to move.

MR. BARNES seconded the Amendment. He said he gladly joined with his hon. friend in pressing the Home Secretary to include these diseases within the scope of the Bill, if not now as soon as he possibly could. At all events he hoped he would give them a promise that by July next year these diseases would be scheduled. As this was the last Amendment, he wished to thank, not only the Government and their supporters, but those above the gangway on the Opposition side of the House for the kindly and full consideration they had given to the Amendments from the Labour Benches. He hoped the Bill, while benefiting the workpeople, would not be found, as some had feared it might, to be an undue burden on the industry of the country.

Amendment proposed to the Bill—

"In page 25, line 26, at the end, to insert the words, 'aniline and chrome poisoning, persons employed in or about dye works.'"—(*Mr Jowett.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. HERBERT SAMUEL said they had now reached the last Amendment upon this stage of the Bill, and he wished that it was possible to signalise that event, in view of the harmonious nature of the discussion, by accepting the Amendment, but the Government could not do so for the reason they gave yesterday. These diseases needed inquiry, and inquiry by the Departmental Committee was proceeding. Aniline poisoning was only one form of poisoning by products of benzine, and there was no reason why they should not include all benzine poisoning in the schedule. Chrome poisoning was a thing which was not known. The disease to be dealt with was chrome ulceration. Nor was it sufficient to include only persons employed in dye-works. Persons engaged in the manufacture of these products suffered from the same diseases, and often in a more pronounced form. Under these circumstances it was necessary that the Committee should frame proper and right terms in which to describe these diseases and employments, but he did not think it would be respectful to his Committee to forestall their Report, and he could, therefore, give no pledge. But in his own mind he had little doubt that before the end of July these diseases would be brought in.

Amendment, by leave, withdrawn.

Bill to be read the third time upon Monday next, and to be printed. [Bill 365.]

LICENSING (REMOVAL OF DOUBTS) BILL.

[SECOND READING.]

Order for the Second Reading read.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) formally moved the Second Reading of this Bill.

Mr. Barnes.

Motion made, and Question proposed, "That the Bill be now read a second time."

*MR. CLOUGH (Yorkshire, W.R., Skipton) moved that the Bill be read a second time that day three months. He knew that the House was very anxious to get on to the discussion of the Education (Provision of Meals) Bill, but he felt bound to oppose the measure now before the House because of two sentences in the Attorney-General's speech in introducing the Bill. The Attorney-General had declared, "What would be the consequences of that decision (of the Court of King's Bench) one does not need an active imagination to foresee. In the first place, the Act of 1904 is a dead letter." It was because the Act of 1904 was now invalid and a dead letter that he wished it to remain so. The whole Act, according to the right hon. Gentleman, had been thrown overboard. He suggested they should leave it there, and not launch a lifeboat to save it. He did not see why there should be this undue haste to rectify this slipshod legislation of the last Government. The present Leader of the Opposition did not take very hasty steps to remove the doubts after the Taff Vale judgment. He did not introduce a measure straight away to remove doubts with regard to trade disputes. With regard to the Education Act, when passive resistance was rampant throughout the land, and when imprisonment was the rule from one end of the country to the other, the late Prime Minister did not introduce a measure to appease these passive resisters—he did not introduce an Education (Removal of Doubts) Bill. He did not see why they should interfere with this legislation, which had been so carelessly framed by the late Government, and was causing so much chaos and litigation at the present time. Let it go on. It was because he objected to this departure on the part of the present Government in bolstering up the hasty class legislation of the last Government, and in riveting the shackles upon public opinion which were imposed upon it by the 1904 Act, that he moved the rejection of the Bill.

MR. G. A. HARDY (Suffolk, Stowmarket) seconded the Amendment. He said the original measure was a badly drafted Bill. It was one which they had all opposed on that side of the House, and it was pressed through without discussion by means of the guillotine.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Clough.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR JOHN WALTON said he was sure his hon. friend behind him would not expect a lengthy reply. Let him remind the House that the object of this Bill was not to alter the original Act. It was simply to determine what the object of that Bill was, and to determine it in no other sense than that in which they all wished the law to be declared, namely, the sense in which it was declared by the Act of 1904. If that legislation was wrong, let the House amend it, or alter it, and have the courage to say that it was wrong. The object of the Bill was not to alter the law, but to make it plain what the House, rightly or wrongly, meant to do in 1904. The Government had bolstered up nothing, had altered nothing, and supported nothing. They had only indicated in terms which he hoped would now be made sufficiently plain, so that they could be understood by every tribunal in the country, exactly what the House meant in 1904, and he thought it was a legitimate object of legislation for the House to correct misunderstandings which might have arisen by the interpretation of statutes by the Courts of law. He would say one word in conclusion which might be some consolation to his hon. friend. The Home Secretary had on the stocks a Bill dealing with the whole of the licensing question, and his hon. friend's views, and the views of the trade, would receive due consideration in the preparation of that Bill.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

EDUCATION (PROVISION OF MEALS) (RE-COMMITTED) BILL.

MR. DEPUTY-SPEAKER said that the following instruction standing in the name of the hon. Member for Preston was out of order as it was outside the scope of the Bill:—"That it be an instruction to the Committee that they have power to make provision for those children attending public elementary schools who are unable, on account of other causes than the want of food, to profit by the education offered."

Considered in Committee.

(In the Committee.)

[Mr. EMMOTT (Oldham) in the Chair.]

Clause 1:—

*MR. HAROLD COX (Preston) moved an Amendment to substitute the Poor Law guardians in any union for the local education authority as the authority for the administration of this Act. The Poor Law guardians had for over 300 years been the authority for administering relief to the destitute in this country, and he maintained that they were the authority which should continue to discharge this duty. He had received, as many other hon. Members had received, circulars from the Association of Poor Law Unions in England and Wales calling attention to this Bill and urging that it should be amended in the way he suggested. In that circular the Council of the Association of Poor Law Unions pointed out that the boards of guardians alone by their relieving officers had the necessary machinery for making inquiries, granting relief, and following up cases, and that if these duties were handed over to the education authorities who had no experience in dealing with destitution and no proper machinery for investigating cases the business would be badly managed. That was not merely the opinion of the Council of the Poor Law Association. It was also the opinion of Poor Law boards throughout the kingdom. The secretary of the association stated that the circular was sent to 170 Poor Law unions and 134 of them protested against the Bill in its present shape. A discussion was held in November last by the representatives of local unions, and at that discussion, by an overwhelming majority, a resolution was carried protesting against the Bill in its present shape. This procedure would not only create confusion in the Bill, but throughout the whole country. In Clause 2, for instance, it was provided that the local education authority should demand payment twice over for one meal supplied to one child. If hon. Members read the clause it would be clear to them that, in the first place, the local education authority were to demand payment from the board of guardians. Then later on the board of guardians were to require payment from the parents, and the amount received they were to hand over, in addition to what they had already paid, to the education authority. Another and more serious difficulty was that there were created by this Bill an enormous number of overlapping authorities. According to a circular issued by the guardians of the parish of Fulham, who had gone very carefully into this matter, in the parish of Edmonton, which was in three counties, there would be no less than twelve authorities for this relief—one board of guardians, eight education authorities, and three distress committees. If the Government multiplied authorities in this way and gave to all the power to draw upon the rates to relieve destitution a great waste of money would be caused. Another important reason for the Amendment was that the subject could not be dealt with properly without a careful investigation into each case, and the Poor Law guardians were the only body who had the machinery to do that. There was no machinery for investigation provided under the Bill. He had before him a case so striking that he need not apologise for referring to it again. It was the case of the Johanna Street school to which a visit was paid by his hon. friend the Member for North Camberwell, Sir John Gorst, and the Countess of Warwick. The Lambeth guardians examined into the allegations made by this distinguished trio, and found that they were almost entirely unfounded. Sir Charles Elliott and Mr. Hooper of Birmingham had also made a great study of this subject, and it was interesting to find that both these gentlemen agreed that the plan of the hon. Member for North Camberwell of feeding the children first and compelling the parents to pay after was a chimera. The women inspectors of the Board of Education were almost unanimous in dismissing the idea that what the children suffered from was want of food.

*THE CHAIRMAN said he did not see what this had to do with the Amendment. The House was now dealing with the question of whether the local education authority or the board of guardians was to be the body which should undertake the feeding of the children. The hon. Member was dealing with the question as to whether the children were to be fed or not.

*MR. HAROLD COX said his contention was that the subject should be investigated at the homes, and it was only by the Boards of Guardians that that investigation could take place.

*THE CHAIRMAN said the hon. Gentleman was raising other questions which had nothing to do with that point, and the point itself did not rise on this Amendment.

*MR. HAROLD COX said that what these children suffered from was not insufficient but improper food, insufficient sleep, and want of cleanliness.

*THE CHAIRMAN said that the point which he wished to draw attention to was that this Amendment dealt with the body that was to form a committee to provide meals, but that was not the point which the hon. Member was dealing with. He must ask the hon. Member to confine himself to the Amendment.

*MR. HAROLD COX said there was no other machinery for investigation than the guardians. He did not wish to labour the point, and would only say that when these matters were investigated it was found that it was not food but something else that was wanted. This Bill instead of facilitating the building up of good homes would tend to destroy the home. What they had to find out was how the child became hungry. The cause was to be found in the general problem of poverty, and the guardians were the proper authority to deal with that. [LABOUR cries of "No."] He agreed with hon. Members opposite that the duty of the board of guardians was to confine their attentions to destitution. He hoped the great problem of poverty would be dealt with in another way. At any rate the supporters of the Bill allowed the misery in the home to go on. The other children might be ill, or the mother might be dying, but the supporters of the Bill were content to inflate one little stomach with lentil soup.

*THE CHAIRMAN: The hon. Member is disregarding my ruling. He must confine himself to his Amendment.

*MR. HAROLD COX thought it was surely relevant to the Amendment to point out that unless investigations took place a remedy would be provided for what was not the evil. That investigation could not take place unless the matter were entrusted to the board of guardians.

*THE CHAIRMAN: Strictly, investigation does not arise here, but on a later Amendment. Even if it were in order the hon. Gentleman keeps wandering from it.

*MR. HAROLD COX said he was only trying to make his point. There was a mass of evidence revealing the fact that in many cases it was not more food that the children wanted. None of these things could be investigated except by the board of guardians.

*THE CHAIRMAN said he was very sorry to have to keep interrupting the hon. Gentleman, but the hon. Gentleman did not seem to have read the Bill. The question he was dealing with did not arise out of the immediate question before the House.

*MR. HAROLD COX said he was trying to justify his claim that investigation at the home was necessary. The objection to the board of guardians being employed to do this work was that the parent would be disfranchised. A curious anomaly was at once created by the Bill, because under the existing law parents who applied for relief were disfranchised, but under this Bill if a man sent his child to try and pick up a meal at school he would not be disfranchised. He could see no logical difference. It was giving public relief to the family.

*THE CHAIRMAN: The hon. Member is now dealing with Clause 4. I warn the hon. Member for the last time.

*MR. HAROLD COX said he was trying to argue that the boards of guardians should undertake this duty, and the only reason he could conceive against it was that the parent would be disfranchised. But if they could argue that at a later stage there was no necessity to argue it now. He would, however, point out, in conclusion, that the Bill shifted the duty of relief from the guardians to another body, and that the receipt of relief under it would not entail disfranchisement. It was in its essence a Socialist proposal, and he could not understand how a Government which sent one of its members to Huddersfield to make speeches against Socialism could force such a measure in the House. The House ought not to be pressed to deal with such a serious matter so late in the session. He fully recognised the spirit in which hon. Members below the gangway defended this Bill. He acknowledged the perfect sincerity of the hon. Member for Merthyr Tydvil, but he and others who were supporting this Bill were taking a course which would bring no real relief to the children.

*THE CHAIRMAN: The hon. Member is again irrelevant, and I must direct him to resume his seat.

Amendment proposed—

"In page 1, line 5, to leave out from the beginning to the word 'may,' in line 6, and insert the words 'the poor law guardians in any union.'"—(*Mr. Harold Cox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

*THE PARLIAMENTARY SECRETARY TO THE BOARD OF EDUCATION (Mr. LOUGH, Islington, W.) said he thought he had extremely little to answer. The hon. Gentleman asked whether the Government were responsible for the origination of the Bill. He thought the hon. Gentleman knew perfectly well it was a private Member's Bill. There was no feeling in his mind that the report he made had been contemptuously rejected. He had never taken part in a Committee whose proceedings were more harmonious, and on the whole it had produced a very workable and feasible Bill to the House. Most of the questions to which Poor Law guardians took exception would be dealt with later on. One of the largest boards—

*THE CHAIRMAN: I must try to preserve the same rules of order, and I must ask the hon. Member to reply only to what is relevant in the arguments of the hon. Member for Preston.

*MR. LOUGH said he was replying to the argument that all the Poor Law guardians in the country thought the work should be referred to them, and he was saying that one of the great boards of guardians at any rate did not sympathise with that view. The view that it was entirely a work of relief was much too narrow. The idea of the Bill was simply to open refreshment rooms in connection with schools where the local education authority thought such to be necessary. Although there was an interval in the school hours, experience proved that many children could not go to their homes during that interval owing to the distance, whilst others found their homes closed when they went there. In London 300 schools every winter were providing meals. Something like 30,000 children in the Metropolis alone were fed, and about 80,000 meals provided. The idea that the work should be taken in charge by the guardians was contrary to every representation. The hon. Gentleman had not dealt at all with the fact that many of the meals served were paid for by the children. In the case of one experiment that had been tried in London, all the meals supplied to the extent of £14,000 a year had been paid for by the children, and there was no loss to the authority except a small sum not worth mentioning.

Mr. HAROLD COX asked whether the hon. Member was in order.

The CHAIRMAN: I understand that the hon. Gentleman is arguing that since work of this kind is being done by the school authorities now, there is no need to change the authorities.

*Mr. LOUGH said no argument had been adduced for handing over the work to the poor law guardians, and he questioned whether under their constitution it would be possible for them to deal with it. Many kindly disposed people found money in order that these meals should be given. Why should not these voluntary funds be encouraged in the future as in the past and some facility be given for their expenditure in the schools? There were grave administrative difficulties in the way of handing this work over to the guardians who did not work in areas co-terminous with those of the school authorities. There were 670 poor law authorities, and only 327 local education authorities and their areas were not the same. He thought the House should pause before consenting to a proposal which would allow the guardians to interfere with the work of the schools. It was desired that this work should be not a work of relief, but a work of education. They desired this part of the work to be as carefully considered as the other part of education. They wanted wholesome food given to the children and they wanted the children taught how to eat it, which was a most useful lesson. Four Royal Commissions and several Parliamentary Committees had expressed opinions adverse to this work being undertaken by the boards of guardians. The hon. Member for Preston seemed to think the question had been discovered since he came into the House, but he would like to remind him that the last Parliament, by a majority of 164, decided that the work should not be done in that way, although a member of the Government had advocated it. The present Parliament arrived at the same decision in passing the Second Reading of this Bill, and he hoped that as the Bill went through the Committee such references to the guardians as the measure contained would be so modified as to remove this work still more completely from them and give it more into the hands of the local education authority. It was impossible to entertain the Amendment.

Colonel KENYON-SLANEY (Shropshire, Newport) said he did not approach this question on account of any hostility to the general principle of the Bill. They were now discussing whether the poor law guardians or the local education authorities would be the best body to administer this Bill. He thought it was the duty of the House to consider carefully whether in confiding this measure to the local education authorities they were putting it into the best hands. He was afraid that, as the measure stood, it must produce friction between two authorities. The local education authority would have to organise the provision of meals and make the charge on the parents whose children received them. But in the event of any parent not paying, it was through the guardians that he was to be forced to pay. If the education authorities acted they should do so by machinery of their own and take proceedings on their own account.

THE CHAIRMAN : The right hon. and gallant Member is now discussing Clause 2. The question of investigation does not come in at all on this Amendment.

COLONEL KENYON-SLANEY said he was dealing with the question whether the poor law guardians or the local education authorities were the best authorities, and he was under the impression that he had confined his remarks to that point. He was anxious that the Committee should have placed before it reasons why the boards of guardians were the best authorities for carrying out the provisions of the Bill If the administration of the Bill was placed in the hands of the local education authorities it would necessitate friction.

THE CHAIRMAN said the right hon. Gentleman was disregarding his ruling. The question of expense, the question of investigation, and the question of who was to pay would come on later.

SIR FREDERICK BANBURY (City of London) said the power of the local education authority was not limited to Clause 1. It extended to other clauses in the Bill, and therefore if they desired to leave out the local education authority, and to put in another, it was absolutely necessary to prove that the substituted authority would take its place not in one clause but in all the clauses.

*THE CHAIRMAN: Under those circumstances we might have a Second Reading debate on many of the early Amendments. That would be entirely out of order, and I have given my ruling.

COLONEL KENYON-SLANEY said he thought what he was saying was pertinent to the discussion. Of course the ruling which had been given limited him to the narrowest possible ground, and he did not know that he could do more than emphasise what he had already stated. The clause said that the local authority "shall not incur any expense in respect of the purchase of food to be supplied at such meals." The local authority was to have the power of initiating certain proceedings, and then of asking another body to carry out the unpleasant and invidious part of work which they had initiated. If the education authorities acted they should do so by machinery of their own and take proceedings on their own account.

*MR. LOUGH said the Government had Amendments to propose on that point.

COLONEL KENYON-SLANEY said they were accustomed to a procedure which left doubt as to what a Government Bill meant. There were substantial reasons on grounds of good management, economy, and general public interest for the Amendment.

DR. MACNAMARA (Camberwell, N.) opposed the Amendment. He pointed out that the Local Government Board Order issued last year, which invested the guardians with power to deal with hungry children, had been inoperative. He did not suppose that there had been a dozen cases assisted in London, not because there was no necessity, but because the guardians did not want to carry it out. In one case where it had been largely operative it was carried out in a thoroughly vicious way in order that the parents might not come a second time. That was at Bradford, where the Local Government Board Order had been put in operation and meals provided. What was the result ?

MR. HAROLD COX: Is it not the custom on the discussion of the first clause of a Bill in Committee to have something in the nature of a Second Reading debate ?

THE CHAIRMAN: Certainly not.

DR. MACNAMARA said the Bradford Board of Guardians had been compelled by popular opinion to put the order in operation. It was a matter of test at an election. The guardians immediately followed the matter up by suing the parent of each child who was assisted for threepence for every meal. A working man's wife was sometimes glad to have threepence for the whole family. It was a preposterous charge, and was solely intended to prevent parents from coming again to get assistance from the guardians for their hungry children. In these circumstances the Committee would not be justified in handing over these powers to the boards of guardians.

*SIR WILLIAM ANSON (Oxford University) said he understood that the purport of the Amendment was that for the purposes of the Bill the guardians of the poor were a better authority to deal with the matter than the local education authority. It was very difficult to discuss this question as to whether the board of guardians were the better authority without looking up and down the Bill and considering the proposals of the Government. For instance, Clause 3 allowed the local education authority to provide food without associating itself with the voluntary committees, but only in cases of exceptional distress. He had never committed himself to the view that the guardians were the better authority; on the contrary, he had never regarded this question as one of outdoor relief. His hon. friend the Member for Preston ignored the case of a large number of children whose parents were capable and willing to provide food for them, but could not because they were away from home at work at the children's dinner hour, or if they did give them food to take with them it was not of a palatable or wholesome quality. On the other hand, if they gave money to the children to buy their dinner, the children often spent it in sweetmeats or cigarettes or other things which gave no nutrition. It would be a very great boom to a large number of children, whether ill or well fed at home, if they got food supplied to them by a committee working under the direction of the local education authority. Therefore he said that this was emphatically a question for the local education authority; but he was disposed to say that some security ought to be taken that the guardians of the poor should be represented on any committee with which the local education authority associated itself. He agreed with the hon. Member for Preston as to the great importance of investigation. He took it that the committee with which the local education authority associated itself should be in a position to make the fullest inquiry before they undertook the work. It was for the interest of all that these voluntary associations or committees should earnestly take up this question of child life in our great towns, not merely the condition in which the children came to school, but their life in their homes. It was from that point of view that he, for one, looked on some portions of this Bill with approbation. But while he cordially supported the Government against the Amendment, he felt that there were many points which would call for a good deal of criticism at a later stage.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea) said that the hon. Member for North Camberwell had appealed to him in his official capacity as to the operations of an Order, which the Local Government Board issued to the boards of guardians some time ago. Subject to the qualification that it dealt with a somewhat different class of child from that dealt with by this Bill, the Order issued to the boards of guardians in reference to the provision of meals might be described as a relative failure. His reasons for making that statement were, briefly, that in July, 1906, there were only 151 children in England and Wales, and these were included in only five unions, who were receiving meals from the boards of guardians under that Order of the Local Government Board; and of these 151 children, 121 were at Bradford. Some hon. Members might object that that was in summer, when there was not much distress; but in January in twelve unions the boards of guardians had granted this form of relief to 563 children, and of these 340 were in one union, viz., Salford. As to whether the Order was successful or not. The House itself could draw its own inference from these figures. That brought him to the precise question before the Committee, which was as to whether the board of guardians should be substituted for the local education authority. All the authorities that Parliament had appointed to consider this subject, whether Royal Commissions or Departmental Committees, had pronounced unmistakably in favour of the local education authority rather than of the boards of guardians. The right hon. and gallant Member had argued that the local education authority should provide the meals and then call upon the board of guardians to distrain. The Board of Education had decided to eliminate the boards of guardians from the process of providing these meals, and to that view the Local Government Board agreed. In his judgment this was a question of principle, and he was unmistakably in favour of the local education authority's working the measure.

It was not fair to assume that the local education authority did not possess the means of investigation necessary for the provision of the meals. On the contrary, he believed that the local education authority, plus the voluntary agencies which they would have at their disposal, and the experience which they would get from the board of guardians and from a broad and general point of view, had ample means of acquiring the information necessary to carry out the Bill properly. It seemed to him that the local education authority should be the nucleus around which members of the boards of guardians and members of voluntary agencies would gather. This was not merely a question of providing the meals; it was also one of teaching better habits and manners and of utilising the opportunity thus afforded for other purposes. If the boards of guardians had to do this work a number of persons would not so willingly co-operate with them as they would with the local education authority. This latter body would attract, in a way which boards of guardians would not, the services of voluntary agencies of leisured people who had the time and means to do this work, and of managers and teachers, whose assistance was absolutely essential to the successful carrying out of the plan. The final and most conclusive answer to the Amendment was that the Local Government Board did not want this particular duty.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities) said that, as a member of the Royal Commission and of the Select Committee which considered this question, he could not give a silent vote upon it. He was in the greater difficulty in regard to it because he was afraid he must dissociate himself to some extent from the cordial acceptance of the Bill given to it by his hon. friend the Member for the University of Oxford. He felt very great difficulty in regard to the Bill, although he fully reciprocated the good feeling of the hon. Member for North Camberwell. He cordially agreed with the remarks of the President of the Local Government Board that the less they allowed poor law guardians to interfere with education the better it was for our educational system. It was for that reason very largely that the Royal Commission and the Select Committee desired to leave this power in the hands of the local education authority. They desired at the same time, however, to restrict those powers so that the Act should be properly administered by the local education authority. So long as they had the direction and organisation of the provision of school meals as part of the school organisation, so long as they gave meals the food for which was not paid for by charity but by school fees, he agreed that they ought not to allow the poor law guardians to intervene. But surely it was a different thing when they added to those powers of organisation and direction association with charitable bodies or any other bodies which provided food; if they added to that the actual provision of food by those means, that was poor law relief or it was nothing. There was no use mincing words. If they gave actual food, although they might call the process by different names, they were committing to the local education authority something which did not appertain to it, something which had nothing to do with the carrying on of the school, something which was a mixing up of charity with school organisation and which degraded the school. If the Government were prepared to foist upon the managers by this Bill the actual provision of food, they ought to hand the duty over to the authority which dealt with poor law relief. On the whole he opposed the Amendment, although he did not oppose the Bill generally. He opposed the Amendment, but at the same time he must point out that this was only a particular item in the general objection to the Bill as a whole. He thought the Bill a mistake, because by it they were touching only a small and comparatively insignificant cause of physical degeneracy. This Amendment made the Bill still worse.

SIR FREDERICK BANBURY said that after reading the revelations as to the proceedings of the Poplar Guardians he had some doubt in his mind as to whether he should support the Amendment, but he had come to the conclusion that the guardians were the better body to deal with this matter. The hon. Member for North Camberwell had stated that a particular board of guardians charged 3d. per meal and that that was a prohibitive price. But if the hon. Member had looked at the evidence given before the Departmental Committee he would have seen that the cost was 2½d. The Financial Secretary had said that this was a harmonious Bill, and had advanced that reason for not accepting the Amendment. But if his recollection was correct the hon. Gentleman's own Report was summarily rejected by the Committee. Another argument used was that this was a sort of refreshment department. If that was to be the object of the clause he could only say he did not believe any local education authority had had any experience in providing refreshments. He further believed a great number of the teachers had refused to undertake the work on the ground that their duties would not enable them to do so. On those grounds he would support this Amendment if it went to a division.

MR. HAROLD COX rose to correct a statement of the Financial Secretary but—

*THE CHAIRMAN said he could not, on this occasion, allow him to speak again.

MR. TALBOT (Oxford University) asked whether the hon. Member would not be in order in speaking twice in Committee. The Chairman had refused to allow him to speak.

*THE CHAIRMAN said he did not think he had laid down any rule of the kind. The right hon. Gentleman was probably not present when he had to call upon the hon. Member to resume his seat for irrelevancy.

COLONEL LOCKWOOD (Essex, Epping) said the Question before the Committee was as to the body to give these meals to the children, and he only rose because having been a member of the local education authority in his district from its start he would like to say a few words. No one could doubt for a moment that the local education authority was the best body for this purpose. They were more in touch with the children and better acquainted with the parents than the board of guardians could be, and they were the only persons who could administer this Act in a proper manner.

*MR. CLAUDE HAY (Shoreditch, Hoxton) said that as one of those who did not think this Bill went far enough he should resist to the utmost the Amendment. It sought to put into the hands of the boards of guardians a duty which only the local education authority could perform, and because he thought that boards of guardians ought to be abolished, the House, in his opinion, ought not to entrust any further powers to them. There were many thousands of parents in London now who were unable to give their children meals, not through want of means, but because there were no facilities and no accommodation at their homes to enable them to do so. He thought the House should give the local education authority power to give to these children the meals which the rich and well-to-do could always have; and it must always be remembered that school meals were part and parcel of a national system of education and must not be regarded as charity.

Question put.

The Committee divided:—Ayes, 290; Noes, 36. (Division List No. 466.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Anson, Sir William Reynell
Anstruther-Gray, Major
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Banner, John S. Harmood-
Baring, Godfrey (Isle of Wight
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne)
Beaumont, Hn. W. C. B. (H'xh'm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (D'v'np'rt
Benn, W. (T'w'r Hamlets, S. Geo
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, R'mf'd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordsh.
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Bramsdon, T. A.
Branch, James
Brigg, John.
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Ches.
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Campbell-Bannerman, Sir H.

Sir Frederick Banbury

Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Cecil, Lord John P. Joicey-
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T.Glen (Renfrew,W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, SirWm.J.(SPancr's,W)
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C.H.(Sussex, E.Gr'st'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Crean, Eugene
Cremer, William Rendal
Crooks, William
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson,W.H.(St.Panc'rs, N.
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Doughty, Sir George
Duncan, C. (Barrow-in-Furn's
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin (Wals'l
Edwards, Enoch (Hanley)
Elibank, Master of
Erskine, David C.
Essex, R. W.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ferguson, R. C. Munro
Ffrench, Peter
Fiennes, Hon. Eustace
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert J.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamer (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Hardie,J.Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harrison-Broadley, Col. H. B.
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennaway,Rt.Hn.Sir John H.
Kennedy, Vincent Paul
Keswick, William
Kincaid-Smith, Captain
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Lewis, John Herbert
Lockwood,Rt.Hn.Lt.-Col. A.R.
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald,J.M. (Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeigh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal,E.
M'Crae, George
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morpeth, Viscount
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(Tipp'rary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Hare, Patrick
O'Kelly,James (Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pease, HerbertPike (Darlingt'n
Philipps, Col. Ivor (S'th'mpton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Power, Patrick Joseph
Price, C. E. (Edinburgh,Centr'l
Priestley,W.E.B. (Bradford, E.
Radford, G. H.
Randles, Sir John Scurrah
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Richards, Thomas (W.Mon'th
Richards, T. F. (Wolverh'm't'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson,Rt.Hn. E. (Dundee)
Robinson, S.
Rogers, F. E. Newman
Rowlands, J.
Rutherford, V. H. (Brentford)
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Scott, Sir S. (Marylebone, W.)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith,F.E. (Liverpool, Walton
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Spicer, Sir Albert
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.
Thomas,David Alfred (Merthyr
Thomasson, Franklin
Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.

Vivian, Henry
Walsh, Stephen
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Wardle, George J.
Waterlow, D. S.
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, Col. R. (Dorset, W.)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-HoodRt.Hn.SirAlex.F.
Aubrey-Fletcher,Rt. Hn.Sir H
Balcarres, Lord
Balfour,Rt.Hn.A.J. (City Lond
Beach, Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bertram, Julius
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Carlile, E. Hildred
Cavendish, Rt. Hn.Victor C.W.
Cecil, Lord R. (Marylebone, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Hardy,Laurence (Kent, Ashfd)
Hills, J. W.
Hope,W.Bateman (Somerset,N
Hunt, Rowland
Lonsdale, John Brownlee
Magnus, Sir Philip
Meysey-Thompson. E. C.
Mildmay, Francis Bingham
Nield, Herbert
Rawlinson,John FrederickPeel
Ropner, Colonel Sir Robert
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G.(Oxf'd Univ.
Valentia, Viscount
Walrond, Hon. Lionel
Wortley, Rt. Hn. C. B. Stuart
Younger, George

TELLERS FOR THE NOES—Mr. Harold Cox and Sir Frederick Banbury.

And, it being Eleven of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow.

BURIALS BILL.

Considered in Committee.

(In the Committee.)

Clause 1:—

MR. CLAUDE HAY objected.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea) appealed to the hon. Gentleman to withdraw his objection.

MR. CLAUDE HAY said he could not agree to the request.

MR. JOHN BURNS said the two Members who put Amendments down to this Bill had agreed to withdraw their Amendments. It was practically an agreed Bill, and he hoped the hon. Gentleman would not persist in his action.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) also appealed to the hon. Gentlemen to withdraw, and observed that it was a Bill which must be passed. There was no Party feeling whatever about it.

MR. CLAUDE HAY said naturally the appeal of his right hon. friend and also that of the right hon. Gentleman opposite would have great weight with him, but as a matter of principle he objected to any Bill being taken after eleven o'clock.

And, it being after Eleven of the clock, and objection being taken to further Proceeding, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow.

MESSAGE FROM THE LORDS.

That they have agreed to—Education (England and Wales) Bill, with Amendments.

EDUCATION (ENGLAND AND WALES) BILL.

Lords Amendments to be considered upon Monday next, and to be printed. [Bill 366.]

Whereupon Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at four minutes after Eleven o'clock.

HOUSE OF COMMONS.

Friday, 7th December, 1906.

The House met at Twelve of the Clock.

PETITIONS.

CONGO FREE STATE.

Petition from Chorley, for the better protection of the Natives; to lie upon the Table.

LICENSING ACTS.

Petition from Tongham, for alteration of Law; to lie upon the Table.

RETURNS, REPORTS, ETC.

PENSIONS AND SUPERANNUATION ALLOWANCES.

Return presented, relative thereto [ordered 28th May; *Mr. Barnes*]; to lie upon the Table.

EDUCATION (ENGLAND AND WALES BILL.

Copy ordered, "of Bill showing the Amendments made by the Lords."—(*Mr. Birrell.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 372.]

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Expenditure of Irish Department of Agriculture.

MR. BARNARD (Kidderminster): To ask the Secretary to the Treasury if he will state the net annual expenditure for the last three known financial years of the English and Irish Agricultural Departments respectively.

(*Answered by Mr. McKenna.*) I subjoin two statements giving the information which my hon. friend requires.

Board of Agriculture and Fisheries.

Net annual Expenditure, inclusive of Expenditure out of the Cattle Pleuro-Pneumonia Account for Great Britain, for the last three financial years.

		Net Expenditure.
	£	£
1903–4.		
Charge on Votes - - - - - - -	111,804	
Charge on Local Taxation Accounts - - -	16,000	
	127,804	
Less, added to balance (Cattle P. P. Account)	686	127,118
1904–5.		
Charge on Votes - - - - - - -	113,907	
Charge on Local Taxation Accounts - - -	12,000	
	125,907	
Less, added to balance (Cattle P. P. Account)	1,278	124,629
1905–6.		
Charge on Votes - - - - - - -	117,608	
Charge on Local Taxation Accounts - - -	7,000	
Reduction of balance (Cattle P. P. Account) - -	3,412	128,020
Total for three years - -		£379,767

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

Department of Agriculture and Technical Instruction, Ireland.

Net Annual Expenditure for the last three financial years.

	1903–4.			1904–5.			1905–6.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Parliamentary Vote (including Cattle† Pleuro-Pneumonia Account, Sub-head F) - -	131,425	9	8	137,098	5	11	143,023	5	4	411,547	0	11
General Cattle Diseases Fund, Ireland, 57 & 58 Vic., c. 57, s. 73 (3) -	1,782	14	8*	2,354	15	5*	—			4,137	10	1
Endowment Fund, 62 & 63 Vic., c. 50, s. 16 -	156,192	12	2	249,611	11	6	211,577	8	2	617,381	11	10
	289,400	16	6	389,064	12	10	354,600	13	6	1,033,066	2	10

* These sums were required to meet the deficiencies of the amounts of the Grants-in-Aid included in the Estimates, under Sub-head F, of the Parliamentary Vote for Swine Fever, &c., purposes, in accordance with the terms of Section 73 (3) of the Diseases of Animals Act, 1894, 57 and 58 Vic., c. 57.

† The expenditure under Sub-head F, exclusive of the sums provided from the General Cattle Diseases Fund, as stated in the preceding paragraph, were—

	£	s.	d.
In 1903–4 - - - - - - - -	16,177	13	3
In 1904–5 - - - - - - - -	16,200	0	0
In 1905–6 - - - - - - - -	13,216	6	4
	£45,593	19	7

Conditions of Labour and Payment in Post Office Factory, Mount Pleasant.

MR. STEADMAN (Finsbury, Central): To ask the Postmaster-General whether he is aware that at the general factory, Mount Pleasant, the wood-working machinery in D Block is done almost exclusively by boys and unskilled labour, notwithstanding the fact that the class of machinery is recognised as amongst the most dangerous used in ordinary manufacturing work; also is he aware that the men and boys engaged on this work have recently been put on night shift without being paid the usual overtime rate for night work, a small allowance only being made to each employee to cover extra expenses incurred by night work; and whether, to prevent similar occurrences in future and secure smooth working, he will give orders that the conditions of labour and payment as laid down by the trade union shall be observed in the factories department of the Post Office.

(*Answered by Mr. Sydney Buxton.*) The hon. Member has been misinformed. All the machines which are in any way dangerous or complicated are worked by skilled wood machinists on full rates of pay. Certain simple machines, in connection with which the risk is of the remotest kind, are, it is true, worked by youths whose ages range from twenty-one to sixteen. Unskilled labour is only used in fetching and carrying. Men engaged in the daytime are not employed on the night shift. There is, therefore, no question of overtime, and the allowance made to the men who work at night is, I understand, very considerably above that provided for by the rules of the Carpenters' Trade Union.

Death of Assistant Superintendent, Cable Room, Central Telegraph Office.

MAJOR COATES (Lewisham): To ask the Postmaster-General whether he is aware that on 17th November last an assistant superintendent of the cable room, Central Telegraph Office, visited the offical medical officer in consequence of illness whilst on duty; that he was suffering from peritonitis, and was sent home to Catford without assistance; and whether, seeing that his condition was such that the railway officials at Cannon Street Station and a stranger found it necessary to convey him to his residence, where he died a few hours later, he will say whether inquiry will be made into the matter.

(*Answered by Mr. Sydney Buxton.*) I have inquired into this matter. I find that the officer in question resumed duty on 15th November on the advice of his own medical attendant, after a month's illness. On 17th November, while on duty, he consulted one of the medical officers to the Post Office, who prescribed for him, but, as he showed no symptoms of serious illness, he was allowed, at his own desire, to resume duty. Shortly afterwards, as he still felt unwell, he was allowed to leave before the termination of his duty, but there was nothing in his condition or appearance to indicate the need for an escort home. If there had been, an escort would have been provided in accordance with the usual practice. His death occurred two days afterwards, on 19th November. I am satisfied that he received all needful attention and consideration from the medical officer and other officials. I must express my great regret that, without any adequate inquiry into the matter, the informant of the hon. Member should have brought such a serious and wholly unfounded charge against the humanity of the officers in question.

Irregular Withdrawal from Llangranog Post Office Savings Bank.

MR. D. A. THOMAS (Merthyr Tydvil): To ask the Postmaster-General whether a sum of money was feloniously withdrawn from the Llangranog savings bank on the 25th November, 1904, and if any official of the local post office was suspected of complicity; whether any investigation was made into the matter; and, if so, whether the conclusion arrived at by the Department was communicated to the official suspected of complicity.

(*Answered by Mr. Sydney Buxton.*) An irregular withdrawal from an account in the Post Office Savings Bank was made at Llangranog on the date mentioned. The then sub-postmaster failed properly to carry out the regulations, and so facilitated the withdrawal; but no actual proof of his complicity was forthcoming. The inquiry was not carried to its completion, as the depositor in the account was unwilling to appear in a prosecution and gave a discharge for the money, and in the meantime it had become necessary to dispense with the sub-postmaster's services on other grounds.

Post Office Telegraphists and Duty on Provincial Newspaper Wires.

MR. BYLES (Salford, N.): To ask the Postmaster-General whether certain telegraphists from the Central Telegraph Office, London, are sent to the special wires in connection with the London offices of provincial newspapers; whether ten of these men have complained to their supervising officers that, although they accepted this duty for four years, and signed for this period, the length of time had been considerably reduced; whether they were ordered to note this decision without comment, and were denied access to the original papers; and whether he will investigate the circumstances.

(*Answered by Mr. Sydney Buxton.*) I am assured that none of the men, whose period of service in the newspaper offices has been now fixed at three years, accepted the duty for four years or signed for that period. The shorter period has been fixed for the advantage of the service generally and in order to allow a larger number of telegraphists to share in a duty which is sought after.

Chinese Trade Mark Law.

MR. TILLETT (Norwich): To ask the Secretary of State for Foreign Affairs whether he can now state if the new trade mark law in China has yet been brought into operation; if not, whether there is any likelihood of this taking place in the near future; whether the regulations proposed in 1904 have been amended; if so, in what manner; whether he has official reports showing that traders secure any real advantage from now depositing their trade marks at Shanghai; and whether registration of a trade mark in China will prevail over a prior user of the same mark.

(*Answered by Secretary Sir Edward Grey.*) I fear I can add nothing to the reply given by me to the same Question when put by the hon. Member on 26th July last.† Discussion with regard to Amendments to the original draft regulations is still proceeding among the Powers interested.

The Colonial Conference.

MR. E. H. LAMB (Rochester): To ask the Under-Secretary of State for the Colonies whether the Colonial Conference, which was to have taken place in London next April, has been postponed to suit the convenience of the Colonial Premiers to the 15th May, 1907.

(*Answered by Mr. Churchill.*) No, Sir, the Conference will meet on 15th April next.

Sunday Opening of the National Galleries.

MR. HORNIMAN (Chelsea): To ask the Secretary to the Treasury whether he can state the hours and months during which the national galleries situated in London are open to the public on Sundays; when was the question last considered; and what is the reason they are not open during the hours of daylight in the afternoon all the year round.

(*Answered by Mr. McKenna.*) My hon. friend will find that this subject was fully dealt with in the Answers given to my hon. friends the Members for the South Division of West Ham and for the Elland Division of the West Riding of Yorkshire on the 3rd and 9th April last, respectively.‡

Inadequate Accommodation at Antrim Post Office.

MR. SLOAN (Belfast, S.): To ask the Postmaster-General whether his attention has been called to the inadequate accommodation at Antrim Post Office for the transaction of public business; and whether, in view of the representations repeatedly made by the Town Commissioners and the necessity for a more suitable building, he can state what steps, if any, he proposes to take in the matter.

(*Answered by Mr. Sydney Buxton.*) My attention has been called to the matter, and I am now considering a scheme for improving the accommodation in the existing Post Office.

Relief of the Unemployed.

MR. BROOKE (Tower Hamlets, Bow and Bromley): To ask the President of the Local Government Board whether, in view of the fact that in some London boroughs distress owing to unemployment is still acute, he will consider the advisability of again modifying, temporarily, for this winter, Article II. (1) iv. (c) of the statutory rules made under the Unemployed Workmen's Act by adding to it now the paragraphs added thereto by him on 6th December, 1905, so as to permit of applicants for relief work, who have received parish relief during the twelve months preceding the date of their application, being eligible for employment under schemes initiated by the Central Unemployed Committee for London; and whether, if he cannot do this, he will state his reasons for not being able to do now what he did on 6th December, 1905.

(*Answered by Mr. John Burns.*) The Regulations (Organisation for Unemployed), 1905, prescribed certain conditions under which an application for assistance under the Unemployed Workmen Act might be entertained. One of these conditions was that the applicant had not been, during the twelve months immediately preceding the date of application, in receipt of relief, other than medical relief, at the cost of the Poor Rate. By subsequent regulations this condition was modified, so as to allow of exceptions from it in the case of persons who had received relief during a limited period, which in London expired on 1st January last. The object was to meet cases in which hardship might have arisen from excluding persons who were compelled to have recourse to Poor Law relief before the Act was passed or the distress committees were in a position to receive applications. The consideration on which the temporary modification was based have now ceased to apply, and it does not appear to me that it could properly be extended as suggested. I may add that the Act was intended to deal with a class of persons who would not ordinarily come within the operation of Poor Law.

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† See (4) *Debates*, clxi., 1427.

‡ See (4) *Debates*, clv., 354; 998.

General Lighthouse Fund Accounts.

SIR ROBERT ROPNER (Stockton): To ask the President of the Board of Trade whether the General Lighthouse Fund Accounts for the year ending 31st March, 1906, will be laid upon the Table of the House before the adjournment for Christmas; and, if not, what is the reason of the delay.

(*Answered by Mr. Lloyd-George.*) The accounts will be presented as soon as the necessary certificate of the Comptroller and Auditor-General has been obtained. I hope to receive it before the end of the session. Copies have already been communicated confidentially, by my instructions, to the members of the Advisory Committee on New Lighthouse Works.

Rebuilding of School-House at Keelnabrack, Glenbeigh.

MR. BOLAND (Kerry, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any, and, if so, what steps will be taken to secure the rebuilding of the school-house at Keelnabrack, Glenbeigh, in view of the condition of the present building and of the frequent representations made on the subject of this particular school.

(*Answered by Mr. Bryce.*) I am aware that delay has occurred in this and similar cases pending the settlement of the question as to the standard plans for national schools to be adopted. This question is now the subject of correspondence between the Treasury and the Commissioners of National Education, through the medium of the Irish Government, and I hope that a settlement will shortly be arrived at.

Value of Holdings on Sir A. Coote's Estate, Queen's County.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the majority of the tenancies upon the Reary estate of Sir Algernon Coote, Queen's County, are non-judicial, and that the price agreed upon between landlord and tenant is twenty-six and a quarter years purchase of existing rents, and can he say if those holdings have been inspected for value; and, if so, what decision the Estates Commissioners have arrived at in the case.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the holdings on the estate referred to in the Question have not yet been inspected. The question as to security for the advances applied for in the non-judicial cases will be fully considered when the inspection takes place. The average number of years purchase on rents is rather less than twenty-four.

Salary of Teacher of Ballaghameehan National School.

MR. DOLAN (Leitrim, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the consideration laid before them by the Member for North Leitrim, the Commissioners of National Education will reconsider their decision regarding the case of Mr. Michael O'Rourke, teacher in Ballaghameehan national school, Circuit 7, Section B, Rossinver, county Leitrim, and grant him a salary based on his average for the ten years preceding 1899 instead of on his average for the three years preceding 1899.

(*Answered by Mr. Bryce.*) The Commissioners of National Education have forwarded to me a copy of the letter which they recently sent to the hon. Member in reply to his request for a reconsideration of the decision in this teacher's case. In that reply the Commissioners entered fully into the facts, and they now inform me that they find it impossible to reopen the matter, which has more than once received their full consideration.

Grants of Land to Irish Labourers.

MR. O'SHAUGHNESSY (Limerick, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether, when an advance under Section 20 of the Labourers (Ireland) Act, 1906, is made to a rural district council as trustees under Section 4 of the Irish Land Act, 1903, for the purchase of untenanted land to be held by them for the purposes of the Labourers Acts, the council can give more than an acre of the land to the labourers when they do not propose to build any labourers' cottages on it.

(*Answered by Mr. Bryce.*) Under the Labourers Acts the maximum quantity of land that can be let as an allotment to an agricultural labourer is one statute acre.

BUSINESS OF THE SESSION.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): moved, "That for the remainder of the session Government business be not interrupted under the provisions of any Standing Order regulating the sittings of the House, and may be entered upon at any hour though opposed; and that no motions be made to bring in Bills under Standing Order No. 11." He said:—This motion represents the period of the year's proceedings which is generally known as the massacre of the innocents, and I must congratulate the innocents on the fact that they have had a longer and more protracted life than usual, extending almost to the end of the year. I think the best plan I can adopt is to state first the names of those Bills which, if we have this further control of the time of the House, will not be proceeded with further. There is, first of all, the Judicature (Ireland) Bill, the Education of Afflicted Children (Ireland) Bill, the Infectious Diseases (Ireland) Bill, the Dublin Police Bill, the Local Registration of Title (Ireland) Bill, the Agricultural Holdings (Scotland) Consolidation Bill, the Agricultural Holdings Consolidation Bill, the Judicature Bill, the Matrimonial Causes Act Amendment Bill, the Salmon and Fresh Water Fisheries Bill, the Poisons and Pharmacy Bill, the Education (Consolidation) Bill, the Sea Fisheries (Scotland) (Application of Penalties) Bill, the Criminal Appeal Bill, the Supply of of Electricity Bill, the Employers' Liability Insurance Companies Bill, and then, with some regret, I must add the Small Holders (Scotland) Bill, which, as the House is aware, we do not intend to proceed with beyond a Second Reading debate; but we have now got to such a narrow limit of time that I think that, as this Bill has been before the country and much discussed at meetings and in the Press, nothing will be gained even if we were to stretch a point and find a day—and a day would not be sufficient for its adequate discussion. There is a Bill also which I will name which my right hon. friend the Chief Secretary was anxious to introduce and pass—namely, the Minerals (Ireland) Bill; but I think the very idea of introducing a new Bill after to-day will not commend itself to the House. The measures which the Government propose to proceed with are these, and they are all of them certainly not of a contentious character in the Party sense:—The Education (Provision of Meals) Bill, the Licensing (Removal of Doubts) Bill, the Burials Bill, the Removal of Offensive Matter Bill, the Public Health (Regulations as to Food) Bill, the Recorders, Stipendiary, Magistrates, and Clerks of the Peace Bill, the Telegraph Construction Bill, the Public Trustee Bill—that we are very anxious to pass—the Census of Production Bill, the Workmen's Compensation Bill, the Street Betting Bill—that is another measure to which we attach great importance—the Land Tax Commissioners Bill, the National Galleries of Scotland Bill, and, last, the Expiring Laws Continuance Bill. These measures, I think, with the assistance of the House, can be passed without any great tax on the time of the House. I need hardly say that if any of them become contentious their lives would be so far endangered; but we do not see any reason to anticipate that, and these are the only Bills to which, if the House gives us the control of the time I am asking for, we shall invite the attention of the House.

Motion made, and Question proposed, "That for the remainder of the session government business be not interrupted under the provisions of any Standing Order regulating the sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11.—(*Sir H. Campbell-Bannerman.*)

MR. A. J. BALFOUR (City of London): The right hon. Gentleman has just made, on December 7, what is the only attempt which the Government have so far made to give the House a clear view of the remaining work of the session, and the fact that this statement is made on December 7 is surely almost a unique incident in our Parliamentary history. In every session I have ever heard of, even when the session went on later than the autumn, the House has had a clear idea when it rose in August what it was the Government intended to do with the time they were going to take for an autumn session. But it is not until within three weeks of Christmas that we are told what is to be the scheme of the Government as regards the legislation of the session. I must say, if the right hon. Gentleman will forgive me for doing so, that I think the whole procedure of the Government in the course of this session is unsatisfactory as well as unprecedented. Whether it is that ten years exclusion from office has so whetted their appetite for legislation [loud MINISTERIAL cheers] I know not; but judging by these enthusiastic cheers I gather it is the reason, and that so keen-set are the appetites of hon. Gentlemen opposite for legislative food that they are prepared to swallow anything, however crude, that may be cooked for them ["No."] and whatever was the origin of the meal. There never was an occasion in the whole of our history upon which the Government, instead of relying upon their own legislative originality and ingenuity, have depended so largely upon the necessarily amateur efforts of private Members of this House. It is quite right and proper that simple and unobnoxious Bills brought in by private Members of this House should be taken up by the Government; but I assure the House—and I say this in no Party spirit and with no desire to make any point against the present Government, but in all sincerity and candour—that the attempt to deal with great social problems and with great principles on the basis of private Members' schemes is really destructive of all sound legislation. We have been discussing at great length very important private Members' Bills in regard to land tenure in Great Britain and town holdings in Ireland. We are now asked to deal to-day with a Bill upon which, as the right hon. Gentleman truly says, there is no Party division or Party feeling, but which nevertheless does raise principles of real importance, which I do not think the House ought hastily or rashly to adopt, and which it is neither right to bring forward on December 7, at the end of a long session, nor to borrow from the private scheme of any unofficial Member of the House. The danger and the difficulties of an autumn session, about which I will say a word in a moment, are greatly augmented by this new system. Let it be remembered that in previous autumn sessions, when the House was asked to take upon its shoulders the immense additional burden, after a long session ending in August, of a session to last through half October and November and December, it has always been so re-assembled in order to pass some great definite Government measure. Never in my experience have hon. Members been called together to pass a miscellaneous horde of Bills—some Government Bills, some private Members' Bills, of none of which we have had adequate notice—and to pass them through at all cost and hazards under the screw of the abolition of the Eleven o'clock rule, Saturday sittings, and all the other familiar modes of torture which Governments may be, indeed must be, occasionally driven to use, but which they ought only to use in regard to great measures which have already been fully discussed and fully understood. In order that the House may be fully seised of the contrast I will take the example of a Bill which was particularly opposed by Members now on the other side of the House, and which was the occasion of our last great autumn session—the Education Bill of 1902. The House separated that year at nearly the same date in August, and it knew it would have to reassemble for the specific and sole purpose of finishing that Bill. That Bill was discussed until it became evident that if the House was to rise before Christmas the closure by compartments would have to be applied, and it was applied to the enormous relief of everybody. No human being could say that every principle of that Bill was not threshed out *ad nauseam* in the House. Now compare the conduct of the present session. We shall be sitting about the same number of Parliamentary weeks. We shall be proceeding with an Education Bill, too, as controversial as, and far more open to attack than, the Bill of 1902—a Bill which has excited, and is exciting, the profoundest passion of the community. Had the Government said, "In 1902 a measure on the same subject and exciting like passions, although, on a different side, was brought in and fully discussed, and there was an autumn session devoted to it; we will follow that example, and rather than burke discussion we will have an autumn session, and see the Bill thoroughly dealt with," it would not have been in our power to have criticised the course they pursued. But not at all. They have, in their thirst for hasty and amateur legislation, deliberately deprived the House of time which they could have usefully and properly devoted to the great measure brought in under the auspices of the Government of the day—the only way in which legislation can be properly carried on. I never have denied that under the conditions of modern Parliamentary life it is absolutely necessary for the Government of the day from time to time to use these exceptional measures for concluding debate of which we have had experience in many preceding sessions, but a more frequent experience in this session than in any which the House has yet known. I have never denied that; but the justification for these measures is that the time of the House shall be, as far as possible, given to the Government for the passing of the necessary Supply, and for their own legislation after ample discussion. I should have thought that if there was a Party to whom that principle would be dear, it would be those who are of opinion, as some hon. Members opposite are of opinion, that the Constitution of this country would be improved, and legislative work could be properly and adequately carried on, by a single Chamber. On the shoulders of people who hold that view, above all others, rests the responsibility of seeing that this House is not overburdened with work, and in consequence has to scamp it. The proceeding of the Government is open, as I think, to another objection much less patent and obvious either to hon. Members or the public outside than the evils to which I have ventured to call their attention. The unofficial Members of this House are well aware of the burden upon them. They are conscious of the great strain of the labours which they are asked to undertake; but they probably do not realise how much greater is that burden upon Ministers of the Crown and the officers over which those Ministers preside. The preparation of Bills and Estimates—the consideration of the policy to be pursued in regard to the Army, Navy, and the great services—is a most laborious operation. It taxes the strength of Ministers; it taxes all the resources of the Departments concerned; it throws an immense burden on the Government draughtsmen; and if you take away that period of leisure between October and, roughly speaking, the meeting of Parliament in the next year you deprive the offices and the Ministers of the time which, if the House will believe me, is absolutely necessary for properly dealing with these immensely complicated questions. The Government, I am confident, after their experience of this session will no longer live from hand to mouth on the labour of other people. Though they may not confess the error of their ways, I think they probably know that they have committed a great error in this respect. I do not ask them to stand in a white sheet. I suspect that in their hearts they know that what I say is true. They came in with a long roll of very ambitious pledges with regard to what is called social reforms. We are all, of course, in favour of social reform, but all who consider the question from any point of view except that of making platform speeches must be well aware that it is just these questions of social reform which are the most difficult to embody in law, which require the most circumspect action on the part of those who are responsible for legislation. They are just the questions on which it is least possible and least politic to depend upon a few high-sounding platitudes, which are a very small aid to the real and detailed work of legislative reform. I do not believe it is possible—if the Government are to spend the time from early February to August and then from mid-October to Christmas Day in this work, with from sixty to 100 questions daily, the replies to which the Departments have to assist in supplying, adding an immense load to departmental work —I do not believe it is possible that administrative work can be done. I venture then to express a most earnest hope that we shall not have a repetition of the experience of this session. I am not critical of the distribution of time the Government think best, taking into consideration the time devoted to the sittings of the House for the carrying through of a programme of legislation which—ambitious and well meaning if you like—nevertheless does impose on the House a burden the House is unable to bear and renders good work utterly impossible. I am not anxious to prolong a discussion which on such occasions as this is sometimes continued for hours, and hon. Members will not be impatient with the brief remarks I have made—brief, but dealing with a subject of immense importance. I have abstained from criticising, as I might have done, the number of times the 11 o'clock rule has been suspended under the arrangements of the Government, and from alluding to extreme difficulties that this imposes upon us; these are relatively small matters, and I do not hope for any satisfactory reply on the present occasion from the right hon. Gentleman who will follow me. But I hope that all Members, official and non-official, will think—if they will do me that honour—of the observations I have made, not in any polemical spirit, but with a sincere desire to see the work of the House carried on under conditions which alone can enable it to deal with the legislative programme of any Government. The principles I recommend are the eternal principles of sound Parliamentary business, and it is because I hold these opinions and hold them strongly—and I have endeavoured to the best of my ability to carry them out when responsible for the conduct of business in this House—and because I desire to see the Government carry them out—it is for that object and that object alone that I venture to call the attention of the House to this question which is vital to their welfare.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fife, E.): No one can complain—certainly no one on this bench—that the right hon. Gentleman has taken this legitimate opportunity to make a general criticism on the distribution of time during the session, and no exception can be taken to the general tone of his observations. I gladly recognise that; but he has said one or two things which I do not think it is possible that I, without wishing to occupy time or to introduce a controversial spirit, can allow to pass without notice. I do not know whether the right hon. Gentleman objects to autumn sessions altogether, or whether he would maintain that if we are to have them they ought to be confined to the discussion of a single measure. Let me point out that if we had followed precedent in that respect, and had been occupied with the Education Bill alone, there are two measures I take by way of illustration as to which there is a universal consensus of opinion they ought to be put on the Statute-book, the Merchant Shipping Bill and the Workmen's Compensation Bill, neither of which would have been passed by the House. The right hon. Gentleman has talked about precedents, but I am bold enough to believe that in such a matter a new Parliament and a new Government may have a duty, not merely to follow, but to set precedents. What is the gravamen of the charge against us in regard to precedent? That we have shown a zeal which the right hon. Gentleman thinks unprecedented and intemperate for legislation. Well, I agree that is a novelty in Parliamentary experience. The right hon. Gentleman has an ill-opinion of our legislative proposals, and much of them he would probably like to schedule under a title which is that of a Bill the Prime Minister has announced his intention of keeping alive—the Removal of Offensive Matter. But that is not our view. And I observed that the right hon. Gentleman studiously refrained from objecting to any of the measures for which the Prime Minister proposes to take time for discussion. He has accused us it is true of the crime of adopting what he calls the amateur efforts of private Members. What does the charge amount to in the light of facts? We passed before we rose for the autumn something like forty measures into law, and before the autumn session comes to an end I hope we shall have increased that number by a dozen or a score more. Out of those fifty or sixty, what number of private Members' Bills have the Government adopted? Precisely four. There is the Musical Copyright Bill, which since its reception early in the session has had general approval in its remaining stages; two Bills have found their way to another place, where they were considered so unobjectionable in principle that they have passed a Second Reading; and the remaining Bill, upon which we are to be occupied this afternoon—Education (Provision of Meals)—is one as to which no Party feeling is excited, and, though introduced by a private Member, has been before a Select Committee, by whom evidence was taken, and the Bill is now recommitted with the advantage of a minutely careful examination, such as few public measures receive, therefore, I trust the House will agree to the Resolution.

LORD R. CECIL (Marylebone, E.) intervened as a private Member, not for the purpose of discussing the general principles upon which business should be conducted, but with a view to ascertaining what burden the Motion would be likely to throw on the general body of Members of the House. The Prime Minister, in giving notice on the previous day that he intended to move this Motion, had said that he intended to take the opportunity of giving some general indication of what the course of business was going to be for the remainder of the session. They were entitled to have an indication of the general plan of the Government. The House did not know at present whether the Government proposed to bring the session to an end before Christmas or not, but assuming that they did so intend, fourteen days were left, including three Fridays, of which this was one. Allowing three or four days for the Education Bill, there were three more allotted for the discussion of special subjects—South Africa, Wireless Telegraphy, and Army Reform. [AN HON. MEMBER : Three opportunities.] Three opportunities—up to the present they had been spoken of as three days—and he for his part did not see how the House was going to have an efficient discussion either on South Africa or Army Reform without a full Parliamentary day being allowed for the discussion. That made seven days. In the remaining seven days, which might include two Fridays, the Bills mentioned by the Prime Minister to the number of fifteen would have to be disposed of, and many of them must give rise to considerable discussion. What were those Bills ? There was the Report stage and the Third Reading of the Education (Provision of Meals) Bill; the Public Trustee Bill, a most desirable Bill, but which, judging from Amendments even now upon the Paper, excited a considerable amount of comment. It was a Bill which certainly ought not to be passed without proper discussion. Then there was the Census of Production Bill, a most admirable Bill, but one which would raise a considerable amount of discussion ; the Street Betting Bill; the Third Reading of the Workmen's Compensation Bill, which after the two decisions which the House had taken on the preceding day, he certainly could not regard with that favour with which he had previously regarded it, and the Expiring Laws Continuance Bill. That made six highly contentious measures, in addition to which the nine other Bills which the right hon. Gentleman had read out were to be discussed and to be disposed of in seven days. It was under these circumstances that he asked the right hon. Gentleman until what time did he intend to keep the House up. It was all very well for the members of the Government who could and did go home to bed, but there were not too many Members on the Opposition side of the House, and if they desired properly to discharge their duty and subject the measures of the Government to that Parliamentary criticism and that discussion which they ought to receive they could not go to bed. They were entitled therefore to a statement which the House was led to believe it would receive from the right hon. Gentleman as to the plans of Government for the remainder of the session. He asked some member of the Government to supply the statement which had been overlooked, in order that Members might know to what hours they were to be kept up by the suspension of the Rule.

SIR H. CAMPBELL-BANNERMAN said he had already given the noble Lord the information he required, so far as he could control the future, by stating the Bills the Government intended to proceed with. How long those Bills would take depended as much on the noble Lord as upon the Government. It might happen by good luck that some of the Bills, or some Amendments to one of the Bills, might be of such a nature that the noble Lord would not think it necessary to speak upon them. That would be of itself a change in the procedure of the session, and it would make an immense difference in the hour to which they would be obliged to sit. But really to ask one who was helpless in the matter as against the noble Lord to estimate the time which each Bill might take was surely a little too much. He had done all he could do by naming the Bills the Government intend to proceed with.

MR. WILLIAM REDMOND (Clare, E.) said the noble Lord had endeavoured to gain their sympathy by complaining of being kept up all night, but he would remind the House that there had been only one all-night sitting this session, and on that occasion the noble Lord was careful to go home and go to bed early.

SIR WILLIAM ANSON (Oxford University) said that many hon. Members who were interested in the Education (Provision of Meals) Bill, relying on the indications of the course of business which had been given early in the week, had made engagements for to-night which they could not put off. He was sure the Prime Minister would acquit him of any desire either to obstruct or to delay the passages of the Bill, but undoubtedly it did contain matter of great social and pecuniary importance on which there was a great variety of opinion in the House, and as it had been impossible owing to the short notice to cancel engagements into which many of them had already entered, he suggested that the discussion on this Bill should be adjourned at five o'clock and resumed on some other occasion.

LORD BALCARRES (Lancashire, Chorley) said the right hon. Gentleman had named the Bills he proposed to carry through, but he had made no statement with regard to the promised opportunities for the discussions on the Army, the Berlin Conference, and the question of land settlement in South Africa, in which hon. Members on both sides of the House were deeply interested. He thought the House should be given some indication of the days when these questions would be raised.

SIR H. CAMPBELL-BANNERMAN wished to remedy one omission. He had omitted to state that he thought it desirable that they should devote a short time, not to the larger questions of procedure which were the result of the deliberations of the Committee, but to certain rules that the Government had put upon the Paper to legalise, as it were, the new method of taking divisions. This would be a very simple matter, and of course they had no idea of entering on the wider question. The Government would take advantage of the opportunity they would have to-day of proceeding with business, for it would only make the pressure heavier on subsequent days if they abridged their working hours that day. He admitted that there were points in the Provision of Meals Bill of considerable importance, but he thought four or five hours ought to be ample for their discussion. Then there were one or two other Bills of a perfectly unobjectionable and uncontentious character with which they might occupy a further space of time. As to the discussions on the three subjects mentioned by the noble Lord, he did not see very clearly beyond the discussion of the Education Bill at the beginning of the week. He presumed that would probably take three or four days, and until they got on with that discussion they could not proceed to fix days for other subjects.

MR. BOTTOMLEY (Hackney, S.) urged the Government to proceed with the Criminal Appeal Bill. Surely a Bill the object of which was to keep innocent persons out of prison should have precedence over a measure like the Street Betting Bill.

MR. BOWLES (Lambeth, Norwood) said it was of some importance to private Members that they should understand as nearly as possible the real effect of the very large powers for which the right hon. Gentleman was asking for the remainder of the session. Was it intended to bring the session to a close before Christmas or was it contemplated to run it over Christmas? The right hon. Gentleman had warned them that if any of the Bills should be treated as very contentious its life might be endangered to that extent, and that seemed to suggest that he had some fixed date in his mind. Did he intend to go on night after night until all the Bills had been passed? Private Members ought to know how they stood in that matter.

MR. VICTOR CAVENDISH (Derbyshire, W.) hoped that a day or portion of a day would be devoted to the discussion of the Report of the Public Accounts Committee. Matters of very considerable importance were contained in the Report, and he hoped the right hon. Gentleman would adhere to the decision of the last Parliament, and afford an opportunity for a discussion.

SIR H. CAMPBELL-BANNERMAN was afraid it was impossible at the fag end of the session to give an opportunity for the discussion of the Report of the Public

Accounts Committee. It could just as well take place in the early part of next session.

Mr. VICTOR CAVENDISH: May we understand that a day will be allotted in the early part of the next session?

Sir H. CAMPBELL-BANNERMAN: Sufficient unto the session are the discussions thereof.

Sir HENRY CRAIK (Glasgow and Aberdeen Universities) remarked that the clause in the Education (Provision of Meals) Bill making it applicable to Scotland was not likely to be reached until a late hour this evening, and he hoped that that would not prevent an adequate consideration of the subject, and that they would have the assistance of the Secretary for Scotland and the law officers.

Mr. HUNT (Shropshire, Ludlow) hoped that if the Prime Minister intended to crush the Opposition with his majority the Leader of the Opposition would do his best to keep the discussion going day after day and night after night.

Question put, and agreed to.

Ordered, That, for the remainder of the session, Government Business be not interrupted under the provisions of any Standing Order regulating the sittings of the House, and may be entered upon at any hour though opposed; and that no Motions be made to bring in Bills under Standing Order No. 11.—(*Sir H. Campbell-Bannerman.*)

EDUCATION (PROVISION OF MEALS) (RE-COMMITTED) BILL.

Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

Clause 1:—

Mr. BRIGG (Yorkshire, W.R., Keighley) said the Amendment standing in his name to require the consent of the poor law guardians of any union before the local education authority could take steps to aid in the provision of meals for children was placed by him on the Paper with the object of introducing smoother relations between the two authorities concerned. The one authority had the spending of the money and the other had to provide it. There was almost certain to be some friction between the authorities, and it was to remove that friction that he framed his Amendment. In view, however, of the statement last night of the Parliamentary Secretary to the Board of Education, that it was intended to modify the Bill in Committee so as to remove further from the guardians the work which the Bill proposed that they should do in connection with this matter, he did not intend to move his Amendment.

Mr. MASTERMAN (West Ham, N.) moved to omit the words "with a view to the organisation and direction of the provision of a midday meal" in order to provide that the local education authority might take such steps as it thought fit with a view "to provide meals" for school children. He remarked that under the Bill (except as provided later on in Clause 3) no public money could be taken in respect of the purchase of food for these meals, and he had no desire to challenge that arrangement. His Amendment in the first place, compared with the phraseology of the Bill, proposed words which were more simple and less open to any kind of subsequent disturbance in a Court of law—and that in Bills connected with education seemed to be an advantage. The second reason for his Amendment was the desire to give greater freedom to the local authority. Instead of saying "a midday meal," it was better not to particularise the meal, but to leave it to the local authority to deal with the local circumstances. He was exceedingly anxious that practically the whole of the present voluntary organisation should be unified into one consistent scheme under the control of the local authority. A large number of these charities at present provided breakfasts—the well-known one at Birmingham, for instance; and if they excluded breakfast there was no doubt that that charity would continue to work on present lines outside the scope of the Bill. That would be a profound mistake, for it was important to avoid that most desolate of all occupations—pushing the interests of competing charities. They ought to give an opportunity of providing breakfasts or dinners, or breakfasts and dinners, under special circumstances of distress. On the Select Committee which carefully worked out this problem there was a considerable divergence of opinion whether breakfasts or dinners were the most valuable. Remembering that there was so much divergence of opinion existing, he thought it would be better to let the local authorities decide. He begged to move his Amendment.

Amendment proposed—

"In page 1, line 6, to leave out the words, 'with a view to the organisation and direction of the provision of a midday meal,' and insert the words 'to provide meals.'"—(*Mr. Masterman.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

THE PARLIAMENTARY SECRETARY TO THE BOARD OF EDUCATION (Mr. LOUGH, Islington, W.) said it was quite evident that great interest was taken in this matter. The Government never regarded the words "with a view to the organisation and direction of" as being very essential; they were taken from the Report of the Committee. The hon. Member for North West Ham had stated that he was not going to move a subsequent Amendment, and that he and his friends would be satisfied with regard to the first clause if those words were left out. It was important for the Committee to bear that in mind. His own opinion as to whether or not the words were necessary was not of much value, but the skilled advisers of the Government had looked into the matter and they had come to the conclusion that the words "with a view to the organisation and direction of" were not essential and amounted to a surplusage. The Government were still of opinion that all the other features of the clause must be retained. Sub-sections (*a*) and (*b*) gave the local authority the powers they intended it to possess without reference to the Board of Education, and they did not think it was desirable to go beyond this clause. The phrase "midday meal" had been subjected to close scrutiny, and the Government felt that it was a little clumsy. Consequently they did not think it necessary to retain the words "midday meal" in the Bill. The Committee should remember that in this Bill they were dealing with meals paid for by the children, and if any child wished to pay for two meals why should they prevent it? They were dealing with meals provided from sources other than from public funds, and why should they object to more than one meal being provided? The Amendment he suggested to meet the case was to leave out the words "with a view to the organisation and direction of" and insert the word "for." The Government would also accept the word "meals." The clause as amended would then read—

"A local authority under Part III. of the Education Act, 1902, may take such steps as they think fit for the provision of meals for children in attendance. . . ."

MR. MASTERMAN said that would meet his point, and he asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 1, line 6, to leave out the words 'with a view to the organisation and direction of' and insert the word 'for.'"—(*Mr. Lough.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

*SIR FRANCIS POWELL (Wigan) thought a little more time ought to be given to the consideration of the Amendment. As the clause at present stood, it provided only for the organisation and direction, but the provision of food was a matter of a very different character. The Amendment appeared to him to give a general authority something in the nature of a roving commission to the local authority. But any hon. Member who would refer to Clause 3 would find that local authorities could only act when they were satisfied as to the necessitous conditions of the district. That was a different thing from giving them a general power to act under all circumstances and in all seasons. Before adopting the Amendment the Committee should have some assurance from the Government that the provision of food was not dealt with under the amended clause. When they came to deal with food, then they would be entering upon the question of relief which was far wider in its range and far more difficult and delicate. He felt that he was only doing right in calling attention to this difficulty. The Amendment had been accepted now without any previous indication that it would be so accepted. It raised a very wide issue. It was not a question merely of drafting, but went to the whole root of the matter. Therefore it required most careful investigation and the very best attention that could be given to it, in order that the Committee might feel sure that there was no danger that the supplying of food was included in the Amendment.

*SIR WILLIAM ANSON (Oxford University) said the local authority could not spend money on food for the children, but what they could do was to take steps for the provision of meals by association with a committee and by providing plant, furniture, and other things which he did not understand his hon. friend to object to. That was the meaning of the acceptance of this Amendment. He believed the hon. Member for North West Ham was prepared to fall in with that. He agreed with the Parliamentary Secretary and the draughtsman that the words, "with a view to the organisation and direction of" were valueless. The words which the Government now proposed were important. There was some difference of medical opinion as to whether, if only one meal was given, it should be breakfast or dinner. If there were funds for two meals well and good. If a child could only have one meal, why should not the local authority have the guidance of expert opinion in order to enable them to decide which one it should be? Therefore the first part of the Amendment which proposed to leave out the words "a midday meal" appeared to him to be harmless.

MR. BRIGG said he was sure hon. Members were all perfectly agreed as to the necessity for some provision being made for the feeding of hungry children; but, at the same time, they were anxious that nothing should be done which would unduly relieve parents from the obligation which naturally rested upon them to give proper food to their children, or would pauperise those people who were given help. His own idea of the kind of meal that should be provided was food that might be accessible at any time. For this purpose he would suggest that there should be some place about the school building where dry bread and good milk should be available. This food would be sufficient to nourish the child, but at the same time no child would prefer this fare if it could get better food at home. At certain hours of the day the food should be accessible to all children who required it irrespective of whether their parents were poor or well-to-do. He felt himself that his suggestion would meet the case, for while it would provide that sufficient food was given to children it would not have the effect of pauperising them. He was in favour of the Amendment, but he would wish to give a wider meaning to the term meal. In his opinion the kind of meal to be provided should be left to the discretion of the local authority.

*SIR HENRY CRAIK (Glasgow and Aberdeen Universities) said he could not accept with equanimity the omission of these words. The original suggestion appeared in the Report of the Royal Commission on Physical Training. They went into that point with very great care, and what they urged was that steps should be taken for the provision of meals, but that the organisation of these meals, and that alone, should be part of the work of the education authority. On that point he thought all the members of the Commission were agreed. This clause defined the necessary work which would fall upon the education authority. In the forefront of that they should put organisation and direction. What might come afterwards as to the provision of meals ought surely to be regulated by the subsequent clauses as indicated by the words "as hereinafter provided" at the end of Clause 1. If they dropped out the very important and ruling words at the beginning of the clause, the ordinary reader would think that the first and chief work of the education authority was to provide meals. Ordinary laymen and even draughtsmen might differ, and the interpretation which the Courts of law would put on particular words might not always be easy to predict. The ordinary laymen would understand that if they empowered the local authority to take steps for the provision of meals that was to be interpreted in the ordinary sense of the words, and that it meant, as everyone thought, that they should provide not only the kitchen and the cooking utensils, but also the food which was to be cooked. There was no use minimising the effect of the omission of these words. He must dissociate himself from what was said by his hon. friend the Member for the University of Oxford. He did not think his hon. friend had followed what was done by the Select Committee on this important point. The omission of the words "a midday meal" would give a very useful discretion in the matter; and personally he thought that a morning meal of a simple kind would be at once more useful and much less liable to abuse. This clause dealt with the duty which would lie on the local authority not only in particular cases where poverty was proved, but in every case. It was of the highest importance that they should get in these limiting words, and that they should not be dropped in the easy way the Secretary to the Board of Education proposed.

MR. LOUGH asked whether there was not a general understanding that the discussion should take place on both proposals now. He thought it would be for the convenience of the Committee that they should have the whole discussion together.

*THE CHAIRMAN: I think, owing to the course of the discussion, hitherto we ought to take the discussion on both points at one time, and then they can be decided one after the other without another debate.

LORD BALCARRES (Lancashire, Chorley) said there was a great difference between the question of organising the work of providing meals and the question whether there should be midday meals.

*THE CHAIRMAN: There is a distinction between the two points, but if hon. Members discuss the two points, as they are entitled to do on this Amendment, then we shall not want to enter again on the discussion of the second point.

DR. MACNAMARA (Camberwell, N.) said the Committee was quite unnecessarily frightening itself as to the effect of this Amendment. The Bill ran along two lines. The scheme of the first clause was to set up school canteens, in regard to which the local authority would be associated with voluntary agencies in making provision for meals for which the parents must pay. They must not, except as provided in Clause 3, spend any public money on these meals. That was the recommendation of the Royal Commission on Physical Training to which the hon. Member for Glasgow University referred. The proposed alteration in the words would not allow under Clause 1 any local authority to spend any money on the provision of meals. But Clause 3 proposed to enable local authorities power, in rare cases of real hardship, to spend money out of the rates on the provision of meals. That was a separate scheme altogether. There was only one big question in the Bill, and that was whether any public money should be spent on the provision of meals. He hoped that they might soon come to the discussion of that question. That was the grave and novel proposition which had to be decided in this Committee, but it did not arise on the present Amendment.

LORD BALCARRES said the Amendment was in direct contradiction to the recommendation of the Committee on the mid-day meal. He would be glad to support the hon. Member in excluding the words "organisation and direction," but it seemed to him that the hon. Gentleman was not acting in harmony, not merely with the Committee of which he was chairman, but with the provisions of the sub-section which followed that now under discussion.

The local education authority was to organise and direct the machinery, and for that purpose they could associate themselves with the voluntary committee who would undertake to provide the food. The provision was not mandatory, he admitted; but the local education authority might aid the voluntary Committee—

> "By furnishing such land, buildings, furniture, and apparatus, and such officers and servants as may be necessary for the preparation and service of such meals."

The victuals were to be provided by the Committee. He could not help thinking that those words were considerably more important than the hon. Member intended, and they raised a great question of principle. By striking out "organisation and direction" they were putting on the local education authority a duty which it was the original intention of the framer of the measure to put on another authority.

*Sir W. J. COLLINS (St. Pancras, W.) said that, having sat on the Committee upstairs, he recognised cordially the assistance given by the hon. Baronet. the Member for Wigan and the hon. Member for the Universities of Glasgow and Aberdeen. He desired to emphasise the great distinction to be drawn between the provision of machinery and the provision of food; and he held that the latter should be safeguarded more than the former. He understood that if the Amendment were accepted and the concluding words of the clause were retained, the power to provide the meal *minus* the power to pay for the food practically amounted to the same thing as giving the power, organisation and direction to the local authority. If he thought it was otherwise, he should be inclined to agree with the criticisms which had been made. He was glad that due recognition would be given to the important voluntary agencies. In London alone £10,000 a year had been provided from voluntary sources for the provision of meals for school children. At present, without any objection from the Board of Education or the auditor, the first clause of the Bill was virtually carried out in some fifteen London school centres. The food provided had been paid for by the parents and by voluntary agencies, the former contributing 75 per cent. of the cost and the latter 25 per cent.

Lord BALCARRES said that the apparatus had been provided for, but that did not touch the provision of food.

*Sir W. J. COLLINS said that the local education authority in London had utilised the materials which had been used in cookery centres without any cost to the rates, in fifteen schools, and that had been conducted with great advantage to the children. He was satisfied that there was a need in the primary as well as in the secondary schools for the provision of an early or a mid-day meal at cost price to the parents. With the restrictions contained in the last three lines of the clause he saw no harm in accepting the Amendment, fully understanding that payment for food out of public funds would be fenced by adequate safeguards.

*Sir FRANCIS POWELL said that having an Amendment on the paper to leave out the midday meal, he felt bound to say a word by way of apology for his departure from the recommendation in the Report of the Committee, which gave information of the most valuable character as to the procedure of foreign countries and in this country. He confessed that on more careful examination of that Report he had come to the conclusion that it would not be advisable to limit the provision of food to the mid-day meal. He found that in France and Belgium there was a midday meal, but when they went further east the meals provided were sometimes breakfast, sometimes a mid-day meal, and sometimes a supper. He therefore thought they would be acting more in accordance with convenience if they gave the local authority power to deal with the various circumstances which might arise. He had some apprehension as to giving more than one meal, because he was most anxious not to impair the sense of parental responsibility. He did not intend to carry the operation of this reform further than the necessity of the case demanded. He thought the case for a single meal had been clearly proved, but some discretion ought to be given to the local education authority. He had confidence in such bodies, and he would be content to remove the restriction that the local authority was not to provide more than one meal, and allow them to fix the time at which the meal should be given. He believed that the local authority would administer the Act with great care, because they had a desire to maintain the sense of parental responsibility, and he believed that they would act on that principle in the administration of this Bill when it became law.

*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) said he had been a supporter of this Bill in all its different phases in the Select Committee because he believed that the machinery proposed in it would go a long way towards diminishing that lack of parental responsibility about which so much had been said. As to the provision of one meal only, he hoped that that would not lead in the future to interference with the operation of Clause 3. The omission of the words "organisation and direction" seemed to him to be merely a verbal alteration. The concluding words of the paragraph controlled the whole clause and made it perfectly clear that it only provided that the machinery should be supplied by the local education authority, and that it had nothing whatever to do with providing the food.

*MR. BRIDGEMAN (Shropshire, Oswestry), thought that nearly every one in the Committee would agree with the omission of the word "mid-day" before the word "meal," and he would be glad to see the word struck out. He would also like to see greater elasticity in regard to giving more than one meal if it was wanted. But that was altogether a different matter from leaving out the words "organisation and direction" of the provision of the meal. The hon. Gentleman in charge of the Bill had suggested that the word "organisation" had no significance at all, and that it did not matter whether they put it in or left it out. If that was so, why alter it? Again, why did the hon. Gentleman move to insert this very word in sub-section (*b*). If it had no significance, why should it be left out here, and why waste the time of the House in introducing it in sub-section (*b*). The Chancellor of the Exchequer gave as a reason for rushing this Bill through that it had been carefully considered by a Select Committee upstairs. That would be all very well if the Government were proceeding upon the understanding arrived at in the Select Committee, but they were going to upset it. His contention was that the Government were departing from a distinct understanding arrived at in the Committee upstairs, who distinctly put these words in the forefront in the clause in order to make it clear that what they wanted to aim at was the organisation and direction of this provision, and not the buying of food out of public money, to which some of them objected altogether and which ought only to be resorted to in most exceptional circumstances. If the words were omitted the intention of the Committee would be entirely obscured to anybody reading the Bill, and to any local authority who might have to administer it. Therefore he strongly protested against leaving out the words, as such a course would destroy entirely the working basis upon which they went through the Committee. If the Government were going to destroy that working basis they should have to fight the Bill afresh at the present stage in order to put right what the Government had put wrong.

*MR. REES (Montgomery Boroughs) said that the hon. Member for North Camberwell, who addressed the House with the utmost confidence in this behalf, stated that this Amendment would not involve any financial obligation either in regard to a mid-day meal or meals. But when hon. Members looked at Clause 3, they found there provision for the payment of such meals. The words "such meals" of that section would refer back to Clause 1, and it appeared to him that under cover of this Amendment, which was being treated as a question of organisation and direction in regard to the provision of meals, they would find when they got to Clause 3 that the important point of this Bill had been concluded if the Amendment under consideration was already passed. He did not dispute the accuracy of the hon. Gentleman's description of the framework of the Bill. What he did dispute was his description of the effect of this Amendment. He thought it right to call attention to this matter, in order that the Secretary to the Board of Education might deal with it and if possible settle it at once. He thought the House should see exactly where it was going, and not find it had given away in the earlier clauses questions which properly fell to be considered later on. He did not think this the proper place to discuss the merits of this Amendment, which in his opinion altogether altered the scope of the Bill, and made it far wider and of a more far-reaching character than the Bill hon. Members had had before them.

MR. BOWLES entirely agreed with the hon. Member for Montgomery Boroughs that the Amendment, although moved by his hon. friend opposite in an argument tending to show that it was really one of small importance, was an extremely far reaching and important one. The Amendment proposed that it should be in the power of the local education authority not merely, as the Bill proposed, to organise and direct the provision of meals, but absolutely to provide the meals. There was a very great and real difference between organisation and direction of the provision of a meal and the actual providing of it. It was a vital and fundamental difference, and he was astonished that the hon. Gentleman opposite who moved the Amendment should not have seen, as apparently he had not, the extremely serious character of the Amendment. He had stated that the object of the Bill, as he understood it, was to consolidate and unify all the different charities by which at present this work was being carried on, and as he believed, very satisfactorily carried on. In other words, the hon. Member believed that the charities, the private enterprise, and the benevolence which was being exerted in connection with the feeding of children would be consolidated and unified under the municipal authority, and it was with that opinion that he moved this Amendment that raised in a direct fashion the whole principle with which they had to deal. An Amendment which would have such an effect could not be dismissed as a mere matter of verbal alteration. The hon. Member for North Camberwell, whose authority on these matters everybody admitted, had said that there was no harm in the Amendment, because the clause was already enormously safeguarded by certain provisions in the Bill. For instance, he said that they need not be in the least afraid, because it was provided in the clause that the local education authority should not incur any expense in the provision of food. That would be perfectly true if Clause 1 stood alone, and was, in fact, the Bill, but they had to look at it in relation to the other clauses and the whole Bill as it would stand when it was amended and passed. Every provision of the Bill rested on Clause 1, and it was idle to say that because no money was going to be spent under Clause 1 they were justified in making the large alterations in the clause which were proposed. As to the second part of the Amendment, which dealt with the question whether or not the meal was to be a mid-day one, he would have liked to say a few words, but it seemed that the whole matter was disposed of by the extraordinary statement of the Financial Secretary to the Board of Education, that "mid-day" might mean half past ten in the morning or any other hour convenient to the district. If mid-day meant half-past ten it might mean half-past eight or any other hour, and it was perfectly idle of them to waste their time in discussing the matter. It was, however, an important matter that the local education authority should be empowered to give an indefinite and indeterminate number of meals, and under this provision they might have any number of children fed at other people's expense. [Ironical LABOUR Cheers.] No doubt that was a prospect with which hon. Gentleman below the gangway were very much enamoured, but it was one which he thought was insulting to the independent working man. It was indeed a very serious proposal, and would very greatly extend the ambit of the Bill, and for his part he was sorry that it should have been made upon the responsibility of a member of the Government. But these were minor matters as compared with the first part of the Amendment. He thought there was a very serious difference between authorising a local authority to organise and direct, and allowing them to provide food, and because he thought the Amendment was a mischievous one he should vote against it.

*MR. W. T. WILSON (Lancashire, Westhoughton) said that Labour Members were quite satisfied with the Amendment moved by the hon. Member in charge of the Bill, and if there had been any wavering on their part as to the way in which they should vote, the question would have been decided for them by the ridiculous arguments of the hon. Member for Norwood. He appealed to the Committee not to reiterate arguments, but to come to a decision on the point. So far as they were concerned they did not care if they sat till two o'clock to-morrow afternoon, but other hon. Members wanted to get away, and therefore he hoped that they might now come to a decision.

SIR F. BANBURY (City of London) said that instead of appealing to them to come to a decision, the hon. Gentleman ought to have appealed to the Prime Minister not to put down a Bill of this sort to be discussed in the short time at their disposal. The Bill would change the practice which had existed in this country for hundreds of years. The other night hon. Members discussed a measure long after the hour when they had agreed to terminate it, and it was absurd that they should be told that they must not discuss this measure because hon. Members wanted to go home. As another illustration of the harmonious manner in which the discussions on this Bill were conducted upstairs he might mention, having the proceedings of that Committee before him, that the hon. Gentleman in charge of the Bill introduced an Amendment couched in these very words, and having succeeded in carrying it upstairs he now came down to the House and reversed his principles. It was another exemplification of the phrase "on the knee" and apparently it did not apply to the Government only but to every member of the Party opposite. He quite agreed that the omission of the words "organisation and direction" might be safeguarded in later portions of the Bill, but, supposing hon. Gentleman below the Gangway gave the command, what guarantee had they that the Government would not go down "on the knee" and vote against Amendments in that direction? These words "organisation and direction" were of great importance, because the local education authority might combine with voluntary effort to do certain things. If these words were taken out it might be held that there was a provision in the Bill that the local education authority should combine with those who were engaged in voluntary effort, but how many in this House really and sincerely believed in their hearts that after this Bill was passed there would be any voluntary effort? The burden would be put upon the State or upon the rates. Then as to the provision of more than one meal, he was against the provision of any meal at all. Would the hon. Gentleman in charge of the Bill say that the principle of the Bill was not to be extended? [MR. LOUGH: "Hear, hear."] Then would the hon. Gentleman vote against the omission of the words "organisation and direction"? [MR. LOUGH; "No."] The hon. Gentleman had changed his mind again. It seemed to him that by the Bill and the Amendment they were embarking upon a very dangerous course, because if they put the word in the plural it stood to reason that more than one meal would be given He quite agreed that there was a great deal to be said in favour of the hon. Member for North Camberwell. The hon. Member had a warm heart, and no doubt there was a certain amount of misery, although he himself did not think there was so much distress as was represented. But people like the hon. Member, whose heart has warmer than his head was cool, desired to see that misery alleviated, but for himself he believed he was saying the kindest thing possible when he said that if they encouraged parents in the belief that they might have any number of children and someone would provide for them they would be doing injury both to the child and the parents. He felt very strongly about this measure, and to substitute "meals" for "meal" would increase the burden upon the taxpayer and ratepayer which in any case must be great.

*MR. MADDISON (Burnley) said that unless he had assurances, which he thought they had, that the Amendment would not extend the clause in the direction indicated by the hon. Baronet, he would be compelled to vote against it. He agreed that if they did anything to undermine parental control, it would do harm to the children, and if this proposal meant universal maintenance or indiscriminate giving of food, he should oppose the Bill. But it was because he did not see those things in it that he could support it, although he regretted very much that the Government had accepted the Amendment. He preferred the clause as it stood, but as they had assurances that it did not open the door in the wide way the hon. Baronet suggested he should support the Amendment. There was a very grave danger of impairing parental responsibility, and the Government should be very careful what they did in that way, otherwise they would find some Members on their own side who could not support them. He thought, however, that hon. Members opposite were wrong, because in his opinion the governing words at the end of the clause did away with any such fear as had been expressed.

CAPTAIN CRAIG (Down, E.) said that, as a Member of the Committee which considered this matter upstairs, he regretted that in this discussion in a full House the Parliamentary Secretary should have lent himself to this arbitrary proceeding in connection with the measure. The discussions upstairs had proceeded most harmoniously, and had the hon. Member started in the way he had proceeded upstairs a great deal of time might have been saved. The two parts of the Amendment now under discussion had very divergent bearings on the Bill. There was no question whatever that the draft of the Report which came down from the Committee, and which included the words mid-day meal, did not for a moment suggest that the Committee was in favour of a mid-day meal, but it showed the care with which they went into the matter. The vote of the majority of the Committee showed that the balance of opinion was in its favour. But he did not think anybody objected in any way to its omission, and if the hon. Gentleman had moved to omit "mid-day" the Amendment would have been accepted. But the hon. Gentleman did not do so. He waited for the Amendment to be moved casually by a private Member, and then accepted it instead of indicating, as he should have done, what the desire of the Government was. He (Captain Craig) however, placed more importance on the additional "s" which appeared in the Amendment. The point was thoroughly threshed out in the Committee, where it was intended that a meal should be given to such children as were found, on attending at school, to be in such a condition as not to be able to benefit by the education given until they had been fed, and it was agreed that machinery should be provided for giving a meal. The hon. Member, by the Amendments he had put down at short notice, had introduced into the measure an aspect which certainly the Bill never had before, and he regretted that such Amendments should be sprung upon the Committee and accepted. The question whether there should be a midday meal or whether those children who required it should be given a meal when they attended school raised large issues, such as the question of parental authority, which would have been better raised later on. The question of parental authority was a very wide one and it would be very difficult to deal with it at the present time. It was a pity the hon. Gentleman had departed from the wording to which he agreed upstairs, because when they acceded to his desire to discuss the matter again in Committee of the whole House they tried to come to an agreement upon points which the hon. Gentleman was now trying to raise afresh with regard to the question of whether the word should be "meals" or "meal;" as it stood now he heartily supported what had been said by the hon. Baronet. The hon. Member had said earlier in the debate that these were charitable funds, and that children when they came could demand a meal. Did the hon. Gentleman mean to suggest that one child could demand a breakfast, and another a midday dinner, and another a meal at some other time? The purpose of the measure was to give the children a meal to enable them to do the strenuous work imposed upon them during school hours, and the object of the State was to enable the voluntary effort to be made as in the past. The last part of the Amendment, although it did not effect so sweeping a change in the Bill, departed at the outset from the wording which the hon. Member himself asked the Committee to accept as being the most ready means of arriving at the object of the Bill. Clause 1 was to provide machinery to enable a school to set aside a class room and a kitchen and the necessary utensils to provide the children with meals. The clause had already met with approval from all sides of the House; it was a provision to enable the local education authority to do what in many cases was done "through a back door." This Amendment placed an entirely different aspect on the clause. He thought it would have been better to insert these words in another place, and unless the hon. Gentleman changed his whole methods of conducting this discussion he could not depend on that harmonious co-operation which had been extended to him in the Committee upstairs in the endeavour to meet a growing evil.

Mr. LOUGH said it was true that the proceedings upstairs had been most harmonious, and the hon. Member who had just sat down had himself given great assistance to the Committee in putting the Bill into shape. The hon. Member would believe him when he said that the Government were not going to extend the provisions of the Bill beyond what was agreed in the Committee upstairs. The Amendment might be of some value in the way of clearness, but it did not in the least pledge the Bill to anything not already agreed to. The Government did not put down the Amendment, because they wished to get through the Bill as harmoniously as possible. He pointed out that the Bill did not mention parental responsibility, and there was nothing about it in the Amendment. The only thing was that voluntary effort would not allow any claim to be made on the parents, and they wanted to make it a statutory matter. He hoped the Committee would now come to a decision upon the Amendment.

*Mr. HAROLD COX said he only desired to ask the Parliamentary Secretary if he would be kind enough to explain exactly the bearing of the alteration. In point of view of drafting the words themselves did not appear to be very different, but there was some difference in the intention implied. It implied in the one case a larger measure than in the other The logical consequences might be the same in both cases, but the Committee had the right to consider what was meant by the Bill.

Question put.

The Committee divided:—Ayes, 41; Noes, 219. (Division List No. 467.)

AYES.

Acland-Hood, Rt HnSirAlexF.
Ashley, W. W.
Balcarres, Lord
Banbury, Sir Frederick George
Barrie, H.T. (Londonderry, N.)
Beach, Hn. MichaelHughHicks
Butcher, Samuel Henry
Cavendish, Rt. Hn.Victor C.W
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone,E.)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L.(Down, North)
Cox, Harold
Craik, Sir Henry
Davies, David (MontgomeryCo
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan,Robert(Lanark,Govan
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hills, J. W.
Kennaway, Rt. Hn. Sir John H.
Lambton, Hon. Frederick Wm.
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lowe, Sir Francis William
Mallet, Charles E.
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Chas. N. (Doncaster
Pease, HerbertPike(Darlington
Roberts, S.(Sheffield,Ecclesall
Smeaton, Donald Mackenzie
Talbot, Lord E. (Chichester)
Thornton, Percy M.
Valentia, Viscount
Wolff, Gustav Wilhelm
Younger, George

Tellers for the Ayes.—Mr. Bowles and Captain Craig.

NOES.

Adkins, W. Ryland D.
Agnew, George William
Alden, Percy
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.

Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont,HnW.C.B.(Hexham
Beck, A. Cecil
Bell, Richard
Bennett, E. N.
Bethell, SirJ.H.(EssexRomf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W.(Bedfordshire
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Bramsdon, T. A.
Branch, James
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner,RtHnSirJ.T.(Cheshire
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.SydneyCharles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt Hn.RichardKnight
Channing, Sir Francis Allston
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen(Renfrew,W.)
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, SirW.J. (S.Pancras,W.)
Condon, Thomas Joseph
Cooper, G. J.
Corbett, CH (Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Crean, Eugene
Cremer, William Randal
Crombie, John William
Dalziel, James Henry
Davies, W. Howell (Bristol, S.)
Delany, William
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Ginnell, L.
Gladstone, Rt.Hn. HerbertJn.
Glover, Thomas
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Hardie,J.Keir (MerthyrTydvil
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hayden, John Patrick
Hedges, A. Paget
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lehmann, R. C.
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Maddison, Frederick
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Mooney, J. J.
Morley, Rt. Hon. John
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts., Bassetlaw)
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.
O'Connor, John (Kildare, N.)
O'Grady, J.
O'Kelly,James (Roscommon,N.
O'Malley, William
O'Shaughnessy, P. J.
•Paul, Herbert
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinburgh,Central
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford
Remnant, James Farquharson
Richards, T.F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robson, Sir William Snowdon
Rogerts, F. E. Newman
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smyth, Thomas F. (Leitrim, S.)
Snowdon, P.
Spicer, Sir Albert
Stanger, H. Y.
Steadman, W. C.
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Thomas,DavidAlfred(Merthyr)
Thomasson, Franklin
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley(Southamptn
Wason, Eugene (Clackmannan)
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Williamson, A.
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES — Mr. Whiteley and Mr. J. A. Pease.

Word "for" inserted.

Amendment proposed—

"In page 1, line 7, to leave out the words 'a mid-day meal,' and insert the word 'meals.'"—(*Mr. Lough.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Lord R. CECIL said the Opposition regarded this matter as so important that they must again divide the Committee upon it.

Question put.

The Committee divided:—Ayes, 233; Noes, 28. (Division List No. 468.)

AYES.

Ashley, W. W.
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Butcher, Samuel Henry
Cecil, Lord John P. Joicey-
Cecil Lord R. (Marylebone, E.)
Corbett, T. L. (Down, North)
Cox, Harold
Davies, David (Montgomery Co.
Douglas, Rt. Hon. A. Akers-
Finch, Rt. Hon. George H.
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Kennaway, Rt. Hn. Sir John H
Lambton, Hon. Frederick Wm.
Liddell, Henry
Lowe, Sir Francis William
Meysey-Thompson, E. C.
Mildmay, Francis Bingham
Morpeth, Viscount
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J.G. (Oxf'dUni.
Thornton, Percy M.
Valentia, Viscount
Wolff, Gustav Wilhelm

Tellers for the Ayes — Mr. Bowles and Captain Craig.

NOES

Acland-Hood, Rt. Hn. Sir Alex F.
Adkins, W. Ryland D.
Agnew, George William
Alden, Percy
Anson, Sir William Reynell
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hon. H. (Eastbourne
Beaumont, Hn W.C.B (Hexham
Beck, A. Cecil
Bell, Richard
Bennett, E. N.
Bethell, Sir J.H. (Essex, Romf'd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Bramsdon, T. A.
Branch, James
Brigg, John
Brodie, H. C.
Brooke, Stopford
Brunner, Rt. Hn Sir J. T. (Ch'shire
Bryce, J.A. (Inverness Burghs)
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Crean, Eugene
Cremer, William Randal
Crombie, John William
Dalziel, James Henry
Davies, W. Howell (Bristol, S.)
Delany, William
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne
Edwards, Enoch (Hanley)
Elibank, Master of
Erskine, David
Esmonde, Sir Thomas
Essex, R. W.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Ginnell, L.
Gladstone, Rt Hn Herbert Jn.
Glover, Thomas
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Hardie, J. Keir (Merthyr Tydvil
Hart-Davies, T.
Hayden, John Patrick
Hedges, A. Paget
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hooper, A. G.
Horniman, Emslie John
Howard, Hon. Geoffrey
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.
Lehmann, R. C.
Lewis, John Herbert
Lockwood, Rt. Hn. Lt-Col. A.R.
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift

MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Maddison, Frederick
Mallet, Charles E.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Mooney, J. J.
Morley, Rt. Hon. John
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal (TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly, James(Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Paul, Herbert
Perks, Robert William
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Power, Patrick Joseph
Price, C.E.(Edinburgh, Central
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E.(Waterford)
Redmond, William (Clare)
Richards, Thomas (W.Monm'th
Richards, T.F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, S. (Sheffield, Ecclesall
Robertson, Rt. Hn. E.(Dundee
Robertson,SirG.Scott(Bradf'rd
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L.(Cleveland)
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowdon, P.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southamp'n
Wason, Eugene (Clackmannan)
Wason, Jn. Cathcart (Orkney
Waterlow, D. S.
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Williamson, A.
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wortley, Rt. Hon. C. B. Stuart-

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. BOWLES moved an Amendment the object of which was to make the clause apply to underfed children only. He said the Amendment was a simple one, but it raised a question of considerable importance. Was it to be at the discretion of the education authority to provide meals for every child, or were they only to be supplied to underfed children? He had no desire to prolong the debate, but it was essential that the Committee should know what it was doing. If it was intended by the Committee that these meals were to be provided to all children, it seemed only reasonable and just that those who had to find the money should have some security that they should not be provided for children who did not need them.

Amendment proposed—

"In page 1, line 8, after the word 'for' to insert the word 'underfed'"—(*Mr. Bowles.*)

Question put, "That the word 'underfed' be there inserted."

MR. LOUGH said he could not accept the Amendment, which would strike at the root of one of the objects of the Bill. If a child could pay for his lunch, why should he not get it? One set of schools in London had been authorised by statute to provide meals, and the power was being taken advantage of to an enormous extent. Indeed Parliament had allowed another set of the schools to set up canteens, and the object of the Bill was to enable the same thing to be done in connection with other schools where the local authority thought fit. Every precaution was taken that no charge should fall on the ratepayers as it could be undertaken by voluntary association, and Clause 2 also provided stringent powers for the recovery of the cost of meals from parents. Further than that, if the hon. Member would look at Clause 3, he would see special provision was inserted for dealing with underfed children.

*SIR FRANCIS POWELL was very glad to hear that the Amendment would not be accepted, as there were other children whose cases required consideration besides the underfed. There were those who were misfed, and those who were not gifted by nature with a strong constitution, and who did not assimilate their food easily. They required careful treatment, and if the clause was confined to underfed children; they and also misfed children would be excluded.

MR. HART-DAVIES (Hackney, N.) said the Amendment was originally down in his name, but he withdrew it in order that they might get on with more important business. He thought the question would be better raised on Clause 3, which dealt with the power of the local authority to spend money out of the rates.

MR. STUART WORTLEY (Sheffield, Hallam) pointed out that the Bill as originally introduced and backed by a round dozen Labour Members was strictly confined to underfed children.

LORD R. CECIL did not agree with the argument that under Clause 1 they were not pledging public funds. The clause declared that certain things should be done and that private subscriptions were to be brought in if possible; but no one could suppose that if the Bill was passed private subscriptions would go on. Why should people subscribe for charity money which after all would merely go in relief of the rates? Hon. Members who thought that possible showed much ingenuousness. It was suggested that his hon. friend's proposal was provided for in Clause 3, which limited the rate to ½d. But what would happen when the limit was reached? Did they imagine for one moment that the ½d. limit would be maintained? It was not done in the case of the education rate. The hon. Member for West Ham had publicly avowed that his object was to get children fed when their fathers were out on strike, so that they might not have the anguish of thinking that their children were not properly fed. Therefore they knew what the object of the dominant section of the House was.

MR. CHAIRMAN: The noble Lord is travelling very wide indeed of the Amendment.

LORD R. CECIL said he was, of course, obliged to abide by the Chairman's ruling, but it was impossible for him to reply to the arguments of hon. Members opposite if he could not deal with the subjects they had themselves discussed. He could not in the least accept the principle that some such limitation was not required.

*MR. HAROLD COX suggested that perhaps the Government would be prepared to accept the word "necessitous" instead of "underfed." This was a very important matter. The Bill was recommended to the country and put forward by the Socialist Party as a means of providing for necessitous children.

MR. KEIR HARDIE said that was not the case. The Bill was introduced to enable the education authority to make provision from the rates for underfed children and for such other children as it thought fit.

*MR. HAROLD COX said he ought to have stated that the arguments in support of the Bill were almost always based upon the fact that hungry children were sent to school. The Socialist Party had pressed the Bill upon the Government because they were in favour of the State maintenance of school children. That of course was their ideal, and the Government had taken it up as a step towards that ideal. Many people had been led to support the Bill because of the pictures that were drawn of starving children going to school. But the object of this measure, if they took the interpretation of the Parliamentary Secretary, was that the Board of Education was apparently to turn every local authority into a refreshment contractor. He objected to that being done. The insertion of the word "necessitous" would very greatly limit the amount of the burden thrown upon the ratepayer. Sub-section (*b*) provided that the education authority should provide for the preparation and service of the meals. It was obvious that if they had to provide for other children as well as those that were necessitous, the cost to be borne by the ratepayer would be greatly increased. The clause as it stood would require the local authority to set up a great machinery for the feeding of thousands of children. He therefore sincerely hoped that the Parliamentary Secretary would accept his proposal to insert the word "necessitous."

SIR FREDERICK BANBURY was extremely glad that his hon. friend had brought forward the Amendment, because there seemed to be some little misunderstanding as to why the Bill was brought in, and what was its object. He had come to the conclusion that they ought to divide on this Amendment, because, if the word "underfed" were rejected, it would shew clearly to the country that the object of hon. Members in bringing in the Bill was to provide for something else than underfed children. The Parliamentary Secretary to the Board of Education had repeated the argument that the Board of Education should be a refreshment department, but the Board of Education was never started with that object. The hon. Member had said there would be no charge upon the rates, because the parents would pay. Would the Board of Education get the money for the meals in advance, because if they put it "on the slate" it was very doubtful if they would ever get the money at all, and the cost involved in collecting these small sums from a large number of people would be enormous. The word "underfed" would undoubtedly limit the application of the Bill and the expense involved. In London alone if all the children in the council schools were given only one meal a day the expense would be something between £1,500,000 and £2,000,000 a year. The limitation of the meals to underfed children might at least be taken as an instalment to see how the system worked. It was said that the children often wanted tender care, but surely they were not going to introduce a nursing department at the Board of Education as well. It was a beautiful sentiment from a kind heart, but they had to look at the matter from a practical point of view.

*DR. MACNAMARA said the hon. Baronet had placed the issue unfairly before the Committee when he said the division would show whether they were in favour of a great scheme of feeding children at the public expense. That was not the issue at all. The hon. Gentleman did not understand the scheme of the Bill in the least. That scheme was to set up school canteens, and people in good positions who wanted to pay for the meal would find it an economy of time at home to let their children use the canteens where they would get a better meal. In the first clause provision was made that not a single farthing of public money should be spent upon that meal. In Paris the working classes to-day found the system a great convenience. Thus there was no public money—no "million and a half"— [Sir FREDERICK BANBURY dissented.] Would the hon. Gentleman read the words of the Bill—

> "Save as hereinafter provided the authority shall not incur any expense in respect of the provision of food."

They could take a rate up to ½d. in the pound under Clause 3, and that was where this Amendment might be considered. Upon that clause they were prepared to insert words providing that where they did spend public money it should be upon the necessitous child only. It was a grotesque misrepresentation to say that because they would not put in this word here they were in for a great socialistic scheme to spend the ratepayers' money on the feeding of children whose parents ought to provide for their offspring. Nothing could be further from the truth.

MR. A. J. BALFOUR (City of London) said he would like to ask the hon. Gentleman who had just spoken—if he were the authorised interpreter of the Bill on behalf of the Government—whether it was the case that the parents of non-necessitous children would pay for the expenditure under this clause. He did not think that if that was the intention it was carried out in the clause. The education authority were to supply kitchen, dining-room, cooks, and attendants. Was the charge which parents were to pay sufficient to cover not merely the cost of the food, but also these capital charges? If that was clearly understood, and if the clause was so altered in its wording as to make it clear that this was the policy, there was force in the observation that it was not on this clause, but later on, that the question as to necessitous children should be raised. But had they got that assurance? Would the words necessary to make the understanding clear be introduced into Clause 2?

MR. LOUGH said the policy of the Bill was certainly to make the parents pay wherever that could be done; and there was an Amendment to Clause 2 covering the point raised. He could not enter into the discussion now without being out of order.

MR. A. J. BALFOUR said the Government ought clearly to tell the Committee what their policy was, because it would be on the faith of what they now told the Committee that they would vote on the Amendment.

MR. LOUGH said the right hon. Gentleman had not been present during the whole of the debate. He would repeat what he had said. The Bill was not confined exclusively to necessitous children, and the points raised would be relevant to Clause 2.

MR. ASHLEY (Lancashire, Blackpool) said as some doubt had been cast on a statement of the hon. baronet the Member for the City of London he would draw attention to the evidence given before the Committee. According to the statement of Mr. Alfred James Shepheard, if every child in London were provided with a meal the food would cost £937,627 reckoning the cost at 1½d. per head. Including the cost of cooking, etc. it meant an expenditure of £1,500,000.

*VISCOUNT MORPETH (Birmingham, S.) said it had been stated that this scheme would not cost a farthing to the ratepayers, but there were in London between 400 and 500 schools, and it would be difficult to provide kitchen and other accommodation under £1,000 a school, or even double that amount, so that to begin with the expenditure on capital account would be between £500,000 and £1,000,000. The education authorities were to be barred by the Bill from using ordinary class rooms for the meals, so that the necessary accommodation would have to be provided. He allowed there was much to be said in favour of providing food for underfed school children, but he protested against the view with which many Members supported the Bill that it was the duty of the State to maintain all children. There were council schools in prosperous London suburbs attended by children of well-to-do parents, and were the ratepayers to pay any part of the cost of supplying meals to such children? Many hon. Members were putting forward the Bill in the first place in order to introduce the principle that it was the duty of the State to maintain all children whether rich or poor, and for that reason he opposed this clause.

SIR WILLIAM ANSON thought this was a matter on which his hon. friend who moved the Amendment was entitled to some more explicit Answer than had been given by the Parliamentary Secretary. If he understood their plan rightly, they contemplated two classes of children—the necessitous children whose parents either could not or would not pay for their feeding, and the children whose parents were willing to pay for the meals. The local authority was to provide the plant, service, and so on out of the rates. The only chance which the ratepayer had of getting any return for his outlay was from the paying child, and therefore it was extremely important to know whether the charge for the meal would cover not merely the cost of the food, which on the Government plan was supplied by voluntary agencies, but also the cost of the plant for which the ratepayers paid. The ratepayer was entitled to know whether he would be recouped by the paying children for the money which he had expended for the plant and service, and not merely the voluntary society repaid for the money which it had expended on the food. That important point was left perfectly obscure by Clause 2. He thought the cost to the ratepayers should be limited to the case of the children who were really necessitous.

MR. KEIR HARDIE (Merthyr Tydvil) reminded the Committee that the clause was not compulsory or mandatory. It only provided that the local authority "may" do certain things, and the local authority might be left to protect its rates.

Mr. ROGERS (Wiltshire, Devizes) said the provision of food by the local authority would, in country districts, be a great boon to children who lived a long distance from school and were absent from home for nine hours. He contemplated under this clause that the local education authorities in country districts would have power, with the assistance and co-operation of voluntary agencies, of providing hot milk for children who arrived at school in wet clothes after a long walk. He would like to see that done, always provided the cost above the money found by voluntary agencies was paid for by the parents. He did not think there would be any difficulty in recovering the cost from working-class parents. The great majority of working-class parents in country districts would be only too glad to avail themselves of a system for the better feeding of their children. The payment should cover the whole cost, but in many rural schools the appliances for cooking existed, and in such a case it would be unreasonable to charge the parent with the capital cost of the apparatus. He did not look upon this proposal as either socialistic or pauperising. It was a very usual thing in middle-class schools for parents to buy dinner tickets for their children. In adopting this proposal the State would be showing the same regard for the physical welfare of the children as had been shown for a good many years for their mental and moral welfare.

Captain CRAIG said a certain number of hon. Members would take quite a different attitude towards this Bill if the word "necessitous" or "underfed" were inserted. What they asked for was a statement whether the Government intended that the charge to paying parents should be sufficient to recoup all the expense the ratepayers were put to. The Opposition were fully alive to the point raised by the last speaker. They all desired to meet extreme cases, but if they did not insert the word "necessitous" they did not approach the difficulty, for they applied the provision to the whole of the children in the country. and they would turn the schools into feeding centres for all children, which was a totally different matter from meeting the necessitous cases during a hard winter. He wished the Government to state clearly whether this enormous procedure of building dining halls and supplying waiters and cooks would be paid for by the parents of the children, or would the local authority be recouped not only for the cost of the food but for the extensive machinery and the cost of putting up large halls out of a sinking fund. This was not a question which could be deferred. It was not merely a matter of the wording of the Amendment, but of what policy was in the mind of the Government. Were the taxes and the poor rates of the country to be wasted in putting up these enormous buildings and costly machinery?

Mr. CLOUGH (Yorkshire, W.R., Skipton) rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question."

*Sir HENRY CRAIK said he would have loyally supported the Bill in its present form and resisted the Amendment had it not been that the understanding reached by common consent in the Select Committee had been set aside. His experience of schools led him to think that it was not only expedient but almost a necessity that in certain localities there should be the means of providing food for the children. The children in many cases came from long distances, and local authorities ought to be provided with some machinery for carrying out this object. But since the Bill was settled amicably in Select Committee it had been seriously altered, and the intentions of the Government had not been explained.

Mr. LOUGH said he had already stated that the Government intended to adhere to the other provisions contained in the clause. The local authority would be quite at liberty to charge a sum which would cover the cost.

SIR HENRY CRAIK said the hon. Member had not yet told them what the action of the Government would be in regard to this matter. There were difficulties in deciding what an underfed child was. In several schools in Scotland he knew cases where elaborate schemes had been established under which the school board lent its voluntary aid, and where voluntary coadjutors were admitted who found the money, and provided for poor and rich alike a meal, charging a certain sum to those who could afford to pay, and giving the meal to those who could not. The difficulty was that the Bill had been seriously altered by the action of the hon. Member in charge of the Bill, and in regard to future safeguards the Parliamentary Secretary maintained an impenetrable obscurity as to his action.

MR. HUNT agreed that it was necessary to provide for the hungry children in the schools, but if they were going to do this in the country districts and provide halls for the children to have their food in, an enormous expense would be incurred. He thought that the best way to deal with the question in country districts would be to provide the food something like the Army and Navy rations were supplied, so that they could give the food to the children ready cooked without the necessity of providing expensive dining halls and cooking arrangements. The food could be supplied by a contractor——

THE CHAIRMAN: The hon. Member is not in order in discussing suggestions as to what steps ought to be taken. The only point is as to the insertion of the word "underfed."

Question put.

The Committee divided: Ayes, 39; Noes, 230. (Division List No. 469.)

AYES.

Acland-Hood,RtHn.Sir Alex.F.
Anson, Sir William Reynell
Ashley, W. W.
Balcarres, Lord
Balfour,RtHnA.J.(City Lond.)
Barrie, H. T.(Londonderry,N.)
Beach, Hn. Michael HughHicks
Bowles, G. Stewart
Bull, Sir William James
Cavendish,Rt.Hon. Victor C.W
Cochrane, Hon. Thos. H. A. E.
Cox, Harold
Craig,Captain James(Down,E.)
Craik, Sir Henry
Davies, David(MontgomeryCo.
Douglas, Rt. Hon. A. Akers-
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hunt, Rowland
Kennaway,Rt. Hon.SirJohnH.
Lambton, Hon. Frederick Wm.
Liddell, Henry
Mallet, Charles E.
Mildmay, Francis Bingham
Morpeth, Viscount
Roberts, S.(Sheffield,Ecclesall)
Rothschild, Hon.Lionel Walter
Salter, Arthur Clavell
Smith, F.E.(Liverpool,Walton)
Talbot, Lord E. (Chichester)
Talbot,Rt. Hn.J.G.(Oxf'dUniv
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel
Wolff, Gustav Wilhelm
Younger, George

TELLERS FOR THE AYES—Lord Robert Cecil and Sir Frederick Banbury.

NOES.

Adkins, W. Ryland D.
Alden, Percy
Asquith,Rt.Hn.Herbert Henry
Baker, Sir John (Portsmouth)
Baring,Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beaumont,Hn.W.C.B. (Hexhm
Bethell,SirJ.H(Essex,Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, ArthurW.(Bedfordshire)
Boland, John
Bottomley, Horatio
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Bramsdon, T. A.
Branch, James
Bridgeman, W. Clive
Brigg, John
Brooke, Stopford
Brunner,Rt.Hn.SirJ.T.(Cheshir
Bryce,Rt.Hn.James(Aberdeen)
Bryce, J. A. (Inverness Burghs)
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton,Rt.Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Channing, Sir Francis Allston
Cheetham, John Frederick
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew,W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth
Crean, Eugene
Cremer, William Randal
Crombie, John William
Dalziel, James Henry
Davies, Timothy (Fulham)
Delany, William

Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
French, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Ginnell, L.
Glover, Thomas
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Hedges, A. Paget
Henry, Charles S.
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Hooper, A. G.
Howard, Hon. Geoffrey
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Maddison, Frederick
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Mooney, J. J.
Morley, Rt. Hon. John
Morrell, Philip
Morton, Alpheus Cleophas
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly, James (Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.
Paul, Herbert
Perks, Robert William
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Power, Patrick Joseph
Price, C. E. (Edinburgh Central)
Priestley, W. E. B. (Bradford, E.)
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.
Sherwell, Arthur James
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowdon, P.
Spicer, Sir Albert
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T
Taylor, Theodore C. (Radcliffe)
Thomas, David Alfred (Merthyr
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williamson, A.
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton).

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

CAPTAIN CRAIG moved to insert a proviso that meals should be given only to the children whose parents or guardians signified their approval in writing to the authority. He said that this was the first Amendment that touched the question of parental responsibility. It was a small Amendment, but it was of some importance, because the parents or guardians would be the first persons pursued for payment. It might be that a parent had three or four young children attending school who would apply for meals from time to time without the knowledge or consent of the parent, and it might be a difficult matter to recover payment for such meals. He had no desire to stand in the way of granting immediate relief in the case of underfed children, but it should not be forgotten that this Bill was quite a different measure from what it was when it left the Committee upstairs. In the first instance they contemplated feeding only underfed children in necessitous schools, but they were now face to face with the task of supplying food in all schools to all the children. He had no harsh feeling in putting down the Amendment, but it really seemed necessary to the Bill in its present shape, and he hoped it would be acceptable to the Government as a small and innocuous provision. He would not press the acutal wording of the Amendment, but would be satisfied if the Government would insert words which would carry out his object. He begged to move.

Amendment proposed—

"In page 1, line 9, after the word 'area, to insert the words 'whose parents or guardians signify their approval in writing to the authority.'"—(*Captain Craig.*)

Question proposed, "That those words be there inserted."

MR. LOUGH said he gladly bore witness to the assistance which the hon. Gentleman gave on this question upstairs. The measure was not changed, and the Government would not assent to any change in the direction proposed. The principle of the Bill was that they should trust the local education authorities. The Bill was not compulsory. It allowed them to do the work. These were great elected bodies, and pressure would be brought upon them to prevent any burden falling on the rates. Surely in a small detail like this it would be impossible for the House with any respect for the local authorities to give a statutory direction such as the hon. Member proposed. In the case of a child in want of a meal, was the teacher to say that he could get nothing until he had sent home to the parent and got a written instruction?

SIR FREDERICK BANBURY said the Secretary to the Board of Education had misrepresented the case. His hon. friend had stated that he would be content with an assurance that something would be put in the Bill to give effect to what he desired. The Secretary to the Board of Education attached great importance to the recovery of the price of the food from the parents. The food was to be given to the child without the knowledge and consent of the parents. It was all very well to say that the ratepayers would exercise such control over the local education authorities as would prevent their being extravagant. The hon. Gentleman had forgotten, or he did not know, what had taken place during the last two or three years. The extravagance of the local authorities had been enormous, and it had not been checked by the people on whom the hon. Gentleman relied. It was absurd to say that a local education authority was going to be taught economy by the ratepayers. The cry at the next election would be "Vote for Mr. Smith and free meals for all children." His hon. friend had not received any assurance from the Secretary to the Board of Education on the point raised by the Amendment.

MR. BOWLES said the Parliamentary Secretary did not seem to appreciate the very simple point raised by the Amendment. They had been told a great deal about the principle of the Bill, but the remarkable thing was that the principle seemed to change with every Amendment. At one time the principle was one thing, and at another it was something different, The hon. Gentleman now said that the great principle was "trust in the local authorities," and he thought there was no danger to be apprehended on that score. It was also a great principle of the Bill that the parents were to pay in the vast majority of cases for the meals which their children received. The hon. Gentleman had stated that the Bill contained altogether novel and drastic machinery for pursuing parents and recovering the amount due to the local education authority for the meals provided under the Bill. The unfortunate parent was to be put absolutely in irons. It was a statutory duty on the part of the local authority to take every possible means to see that the parents paid what was due for food. If that was so, it was not unreasonable to ask that security should be taken that parents had some knowledge of the meals provided, and that, if necessary, they should be able to prevent the meals being given. Public authorities should not be empowered to sue people in the Courts for something which they did not want, did not ask for, and very likely would have objected to if they had known about it. That was utterly unreasonable. If a child was so far from school that it was likely to be hungry when it got there, there would be no difficulty in getting the parent to agree that it should receive the necessary meals, or in recovering the cost. He hoped the hon. Gentleman in charge of the Bill would accept the Amendment, or introduce other words to ensure that parents knew what was being done with the children in this matter.

*MR. BRIDGEMAN thought there was a good deal to be said for the view of the Parliamentary Secretary that if the Amendment were accepted meals could not be provided for children even as a matter of necessity. The evidence given before the Select Committee showed that in a good many cases children got meals of which their parents were unaware. He suggested that at a later stage of the Bill the hon. Gentleman should insert words to provide that when a child received a meal the school authorities should immediately inform the parent that the meal had been given. If that were agreed to the Amendment could be withdrawn.

MR. HAROLD COX said that he agreed with his hon. friends opposite, and could not understand why the Government could not accept the Amendment.

MR. CRAIG said he would withdraw the Amendment if the hon. Gentleman would say that he would consider the matter later on.

MR. LOUGH said the intention was clearly expressed in the Bill that the parents should be made to pay, and he thought the means for effecting that end might fairly be left to the local authorities.

LORD R. CECIL said that that was not the point. The point was whether the parents should be made to pay without being informed in some way, so that they might not be involved in unnecessary expenditure on behalf of their children. He thought they might have a simple answer to that simple question.

SIR WILLIAM ANSON said he would put the matter in the simplest possible form. It was an understood maxim of law that "you cannot make a man your debtor without his consent." Was a local authority to be allowed to make a parent its debtor without his consent? Were parents to be made liable when they had no information, and no possibility of knowledge as to whether the child was receiving food or not?

Question put, and negatived.

MR. BOTTOMLEY moved to omit sub-section (*a*) on the ground that it would tend to damp the ardour of education authorities to put the Bill into operation themselves, and encourage them to leave the feeding of the children largely to voluntary bodies. As the law stood at present there was nothing to prevent a local authority from associating itself with any voluntary body, provided it did not involve the expenditure of public money. To create by Act of Parliament a form of connection between voluntary bodies of this description and statutory bodies such as local education authorities would, in his opinion, have one effect, and that was to take away the interest of those who subscribed to the funds of the voluntary associations. Many of the subscribers would not contribute to the funds if they had the knowledge that under certain circumstances proceedings might be taken against parents. He knew many people who would withdraw their subscriptions if they knew that the people receiving the benefits were to be sued. The hon. Member for North Camberwell thought the system had worked wonders in France. There was no poor law system of any kind in France, and it was only by such committees as the hon. Member had referred to that the work could be done there which the poor law system did here. So long as the local education authority took forcible possession of any section of children it was a primary duty to see that the children were provided with food and put in proper condition to benefit by the instruction given. The placing of voluntary bodies in the forefront of the relief schemes would tend to keep the local education authorities from putting the Act in operation at all.

Amendment proposed—

"In page 1, to leave out lines 10 to 13, inclusive."—(*Mr. Bottomley.*)

Question proposed, "That the words in line 10 down to the word 'any' stand part of the clause."

MR. LOUGH said that sub-section (*a*) was a fundamental part of the Bill. He earnestly hoped that nothing of the kind suggested by the hon. Member would occur. On the contrary, he trusted that when the voluntary societies received the recognition which the Bill would give them, and enable the local authorities to give them, they would become stronger than they had been in the past, and would attract subscriptions from fresh sources. He appealed to his hon. friend not to press his Amendment.

MR. BOTTOMLEY said that after the appeal which had been made to him, he wished to withdraw the Amendment.

*THE CHAIRMAN put the Question that the Amendment be withdrawn, but leave was refused.

*VISCOUNT MORPETH said he wished to ask the Parliamentary Secretary if the local education authorities would be allowed to appoint the managers as the proper committee to deal with this question.

MR. LOUGH said that under the Bill the local education authority might associate themselves with the managers.

LORD BALCARRES said that so far as he could see the local committees could do nothing but buy the victuals. There was a marked distinction between the food now offered and the organisation by which it was to be prepared and distributed under the new law. If that were so, they would not get the same class of people to join these committees as in the past. Sub-section (*a*) provided a new committee in place of the voluntary bodies to do this work.

MR. LOUGH: No. The local education authority will associate themselves with the voluntary committees.

LORD BALCARRES said that he did not state that sub-section (*a*) necessarily substituted fresh committees for the existing committees, but his argument was that the existing committees supervised the distribution of the food, having previously bought it to advantage, and did it very well. The new committee under sub-section (*a*) would have nothing to do but to pay the bakers' and butchers' bills. Under sub-section (*b*) the whole distribution was to be managed by the local education authority, and if that were so they would lose the services of men whose work in the past had been invaluable.

Amendment negatived.

MR. HAROLD COX moved the omission from sub-section (*a*), after "may associate with themselves any committee," of the words "on which the authority are represented." It might happen that no person was available from a local authority to sit on the committee, or that the committee would prefer to be independent, and he thought the local authority ought to be left a free hand in such a case.

Amendment proposed—

"In page 1, line 10, to leave out from the word 'committee,' to the word 'who' in line 11."—(*Mr. Harold Cox.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. LOUGH said that an essential part of the scheme of the Government was that the central authority should be represented on the committee. The clause would not impose restrictions on the authority.

MR. HAROLD COX said that his point was that the local education authority should be able to appoint someone who was not a member of that education authority.

SIR FREDERICK BANBURY said that the hon. Gentleman did not wish to impose any restrictions on the local education authority as to the appointment of members on the voluntary committee. That might be so, but how far was the local education authority empowered to put members on the committee who might have the power of interfering with the proceedings of that committee? He did not see why the local education authority should be represented on the committee at all, except to make themselves objectionable. Under these circumstances there were only two courses open to the Parliamentary Secretary—either to accept the Amendment of the hon. Member for Preston, or to insert words making it quite clear that the local authority might appoint some person other than one of their own members to represent them.

*SIR WILLIAM ANSON said he did not think the hon. Baronet understood the relation of the parties. There were now a number of voluntary agencies for supplying food to the children. The object of the Bill was to bring about some arrangement between the local education authority and the committees of those agencies so as to secure permanence and stability and the fullest possible information to the committees who would supply the meals. Inquiry must be made before food was supplied. He thought that the representation of the local education authority on the committee was a very salutary provision. It was permissive, but if the local education authority wished to exercise the powers conferred upon them under sub-section (*b*) it must associate itself with the committee. He thought that that would facilitate the work of the committee, and secure adequate information which was needed. He himself was of opinion that the board of guardians ought to be represented on the Committee.

*SIR FRANCIS POWELL said that the Select Committee had carefully considered this subject, and were of opinion that it was of great importance that the local education authority should be represented on the committee by persons outside their own body. Their recommendation was that the committee should contain representatives of the local authority, of the board of guardians, of the Society for the Prevention of Cruelty to Children, and of the head teachers of the schools. He thought that that was a most valuable recommendation, and such a committee would be able to modify their policy from time to time as was most consistent with the interests of the community.

*VISCOUNT MORPETH thought that the Committee would be wise to follow the view of the late Home Secretary. It would be very desirable that the ommittee should be composed of philanthropic persons who had knowledge and also time to deal with the matter, but he thought that the local education authority should be represented on the committee. He hoped that the hon. Gentleman would withdraw his Amendment.

MR. HAROLD COX asked leave to withdraw his Amendment.

Amendment negatived.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) moved an Amendment to provide that there should be some representation of the poor law guardians upon these committees. He thought that the boards of guardians had been rather slighted in the matter, because, while the local education authority were to put the machinery in motion, the boards of guardians were to recover the money which it was thought the parent ought to pay. The board of guardians ought to be represented on the committee, because they might have some information which would be extremely useful,

Amendment proposed—

"In page 1, line 11, after 'authority,' to insert the words 'and the board of guardians for the poor law union or unions within the area of the local education authority.' "—(*Mr. Samuel Roberts*).

MR. LOUGH said that although the hon. Member had declared that his Amendment was a very small matter, it might create very considerable difficulty. He was quite right in saying that provision should be made for the representation of the poor law guardians upon the committee where it was thought desirable. That was exactly what the Bill provided for. It was left to the discretion of each local education authority to construct its committees as it pleased. They could not make a statutory obligation which would suit all districts. He had given considerable thought to this matter, and difficulties surrounded it. If Parliament made it obligatory to appoint poor law guardians, there might be claims also for representation from the local branches of the Society for the Prevention of Cruelty to Children, and the Charity Organisation Society. The duty and responsibility must rest on one authority. He had had representations made that the local education authority and the board of guardians were not unanimous on the point, and that was the reason why he could not agree to the Amendment.

MR. SAMUEL ROBERTS said that what he wanted to ask was whether the local education authority would attempt to make use of any of the officials of the board of guardians in the matter?

SIR WILLIAM ANSON said he was sorry to hear that the Parliamentary Secretary to the Board of Education took the views that he had expressed on this point. He understood that the hon. Gentleman had stated that the local education authority were to make the committee as they chose; but it appeared to him that it was all important that the committee should have full information as to the condition of the children, and that could only be obtained through the board of guardians.

*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) said that the hon. Baronet would lead the House to believe that these committees would be in existence before the Bill passed through the House. There were dozens of places where there were no committees at all. It might be that in some districts it would be desirable to have representatives of the boards of guardians upon the committee, and in other districts it would not, but the Amendment left it entirely in the discretion of the local education authority whether or not there should be these representatives upon the committee.

*SIR FRANCIS POWELL wished as a co-opted member of the Bradford Board of Guardians to say one or two words in regard to this Amendment. He thought that it was of great importance that the guardians should have some representation upon the committee. It was of the greatest moment that the local education authority should have the information which was at the command of the boards of guardians. The authority which administered this Act should be in possession of every fact which could be of service to them in that administration, or it would be impossible for them to discharge their duties properly. They had to guard against laxity and fraud and to be constantly on the watch against many evils. If the Committee would permit him to do so he would read the substance of a report from the Bradford Board of Guardians, which showed exactly the work that had been done in that great city as regarded the feeding of children in schools. The total number of children who were being fed on the 30th of September was 558. Out of those 323 were in the hands of the local education authority alone; and 110 of those children were being fed by the guardians and had fathers who were permanently disabled from voting, while 107 were being fed as paupers because their parents were in receipt of out-door relief. He thought those figures were highly instructive, and if this Bill passed he did not think there would be any great change in them. They should, he thought, be a guide to them in their present deliberations as they afforded strong testimony of the merits of a system under which the co-operation of the guardians was secured. He hoped that the result of their discussions would be that the guardians would be represented upon these committees. He did not wish them to be represented in any undue strength, but they should have members who could express their views in the matter and be able to supply that information without which the local education authority would act without full knowledge.

*VISCOUNT MORPETH was sorry that he did not see his way to support the Amendment of his hon. friend, but before he voted he desired to give his reasons for opposing the proposal. In the first place we suffered at the present time from an altogether excessive duplication of machinery. Every Bill that was passed added to the committees which were dealing with the local government of the country. That made for expensiveness, and, if the worse came to the worst, for jobbery. In the country, which naturally differed very greatly in its circumstances as compared with cities and towns, he was convinced that the proper way to deal with this question of feeding the children was to appoint the managers of the school as the committee in charge of the matter. It had been asked whether the officers of the poor law would be available to give assistance in the work. It might be desirable to consult them and ask their opinion, but to his mind the proper person to make the inquiries and find out whether the parents were necessitous would be the attendance officers. There was no body of officials who had more knowledge of the lives of the people and of their circumstances than the school attendance officers, and there was no body of men more hardly worked or who did their work with greater efficiency. He thought that for that reason it would not be desirable to add guardians to the body of the committee of managers who had to deal with this subject, and therefore he was unable to vote for this Amendment. If they turned from the country to the town they found an entirely different set of circumstances. He would not elaborate that argument except to say that in the not very far distant future he should not be surprised if they found hon. Gentlemen on the Ministerial side of the House demolishing boards of guardians. There were a good many portents and signs which showed that that was what was likely to happen in the near future, and it was therefore ridiculous to put boards of guardians as one of the foundation stones upon which they were going to rest this Bill if those bodies would in a few years cease to exist. The last reason why he was unable to support the Amendment was that it would lead to divided authority. There was the difficulty that the matter fell half way between education and Poor Law administration. The question had been asked to which body it should be entrusted, and the Committee had decided that it fell more within the domain of education than within that of the Poor Law. That being so he held that they should keep this subject as far as possible within the power of education committees instead of dividing it between them and the Poor Law authorities.

MR. VICTOR CAVENDISH said that the reasons advanced by the Parliamentary Secretary to the Board of Education for refusing the Amendment were inadequate. The only reason given for the attitude of the Government was that if boards of guardians, to whom they did not object, were included, certain other bodies would also have to be included. That was hardly an argument which could be held to be valid against a well-known body and moreover a statutory body. No doubt there were many excellent agencies concerned in carrying out this work, but they were not statutory bodies and had not the authority of Parliament as the boards of guardians had. He ventured to say that in the constitution of committees under this Bill it was very desirable that there should be included gentlemen who had had experience in these matters. To have upon these committees representatives of bodies of a voluntary character was by no means the same as having upon them representatives of boards of guardians. He hoped the Government would see their way further to consider this matter, as he thought the country as a whole and the great majority of guardians thought that they ought to be represented on these bodies. If the Bill was passed into law in the condition in which it now stood the voluntary bodies who had done good work in this regard in the past would be bound to diminish and their place would be taken by specially created bodies. When the whole object was to govern the administration of this question by officially created committees it was important that those who had had to do the work in the past should be officially represented thereon.

SIR FREDERICK BANBURY said that the Committee were placed in a very peculiar position in regard to this Amendment. Questions had been asked about the Amendment and arguments had been advanced against it of a very pertinent character, but apparently there was no one on the Government Bench able to answer either the questions or the arguments. The Secretary to the Board of Education had given two reasons for not accepting the Amendment. The first was that he was going to move the omission of the boards of guardians from the Bill, and in the second place he said that if the boards of guardians were included amongst those who were concerned in the management of these matters he should have to include also the Society for the Prevention of Cruelty to Children. He did not see why because he was called upon to include one body he would have to include others, seeing that the Society for the Prevention of Cruelty to Children was a voluntary body, while the boards of guardians were statutory and there was a vast difference between the two. The hon. Gentleman had also said he intended to move the omission of words referring to boards of guardians, but they did not know what the effect of those Amendments would be. However, the statement that he was going to do that made it necessary that hon. Members on that side of the House should press this Amendment, because they attached great importance to the inclusion of poor law guardians. The hon. Baronet the Member for Wigan had shown most conclusively that it was necessary to include representatives of boards of guardians on these committees. It might be that in years to come the local education authority, through the committees which they appointed, might develop the necessary knowledge, but at present they had not got it, and he failed to see what reason there was for refusing to allow members of boards of guardians to be put on these committees. There was nothing in the Amendment giving the members of the boards of guardians who were put on these committees the power of veto. [An HON MEMBER: One guardian will do.] His hon. friend said that one guardian would do, but in his opinion two were necessary. After all, if only one guardian were appointed he would probably have this experience which the local education committee would lack. Let the House consider for a moment what this committee would be if the Bill passed. It would be a committee of eleven gentlemen desirous of relieving a certain amount of want; it would be a committee whom everybody would respect, but to it would be added certain members from the education authority. Those added by the education authority would be interested in education, and the philanthropic members of the committee would be occupied by philanthropy. There would be no one of business capacity to look after the interests of ratepayers, and it was in order to safeguard the interests of the ratepayers that they desired to put on these bodies someone not only with experience of dealing with the poor, but such experience as was only to be found in boards of guardians. He did not agree that boards of guardians were always bad. There always had been and always would be boards of guardians who did not act up to the high standard of their duties, but the boards of guardians generally throughout the country had done their duty fairly and well. The evidence of the Blue-book showed that the local education authorities had allowed their hearts to run away with their heads in this matter, that they had given meals to children whose parents were in good circumstances and did not require them; and that they had taken up cases of children that were not underfed, but wrongly fed—fed with the wrong class of food. The local education authorities came to the conclusion that those children required more food when as a matter of fact they only required proper food. Everyone would agree that they wanted somebody with a clear head and a little knowledge of the defects of human nature, but of these three separate bodies—the board of guardians, the education authority, and this philanthropic committee—he thought that the men with the clearest heads would be the members of the boards of guardians. His hon. friend the Member for the Oxford University had intended to support this Amendment, and it was only because of the inconvenient hour on a Friday at which the House was compelled to take this debate that he could not be present to do so.

*MR. JOWETT (Bradford, W.) said he intervened in the discussion for the sole purpose of appealing to the Parliamentary Secretary to the Board of Education not to agree even to allow one guardian on the committee now under consideration. In making that appeal he was not unmindful of the good work that boards of guardians had done. They had done very important work, more especially in respect to infirmaries and children, but it had been for seventy years past the practice of guardians to address themselves entirely to cases of destitution. Everybody who was brought unfortunately into connection with guardians instinctively shrunk from them. Because the records of the guardians had been such he thought it was not desirable to extend their influence in other directions. Boards of guardians had looked upon fraudulent poverty so long that they could see nothing else, and therefore they commenced their inquiries with a bias against the individual instead of starting with an open mind, less prejudiced by their association and training. He appealed to the hon. Member not to allow guardians to be placed upon these new bodies, but to leave the business in such a way that the relief should not be tainted in the slightest degree by its being connected with the Poor Law.

LORD BALCARRES said that Members of the Labour Party were apparently not unanimous upon this question, because he noticed that the hon. Member for Barnard Castle signed the Report of the Select Committee in two places in which this specific suggestion was made that there should be representatives of boards of guardians on these committees. The hon. Member who had just spoken was rather hard on boards of guardians when he said that people associated with their work the taint of one form or another of pauperism. That might be so with regard to one aspect of their work, but in regard to others one had to associate with boards of guardians some of the most valuable duties that had ever been performed for the community. He did not think a guardian would be so useful in sub-section (*a*) as in sub-section (*b*) of this clause, but the question was, had a member of a board of guardians as such means of inquiry which would not be possessed by other members of these committees? The whole history of the Johanna Street School inquiry showed that without the skilled and experienced advice at the disposal of the guardians it had been impossible to get at the facts of the situation. He thought that the co-operation of even one member of a board of guardians would be almost invaluable in helping inquiry, by reason of the knowledge and information in possession of the guardians. That being so, he could not understand why the proposal to add one to these committees met with such determined opposition.

MR. LOUGH appealed to the Committee to come to a decision upon the question. Even if the Government agreed to accept the Amendment it would be impossible to carry it out as every hon. Member would see. If they looked at the first paragraph they would find that a local education authority under Part III. of the Education Act, 1902—

> "may associate with themselves any committee on which the authority are represented."

The Committee was being bombarded with arguments in favour of a member of a board of guardians being placed upon the committee of every public school. In some cases there might not be a guardian within five miles of the committee. The position of the Bill was that the authority could "associate themselves with any committee." They could appoint a guardian if they pleased, and to ask the Government to make the appointment of a guardian compulsory having regard to the vast number of schools in the country was little less than absurd.

*MR. SAMUEL ROBERTS pointed out that there was no question of appointing; the words of the subsection were "may associate."

*MR. BOWLES said the hon. Member. had refused to accept the Amendment on the ground that it was already in the power of the education authority to put on a guardian, if there was a guardian available, if they thought fit. Did the Parliamentary Secretary suggest that in the Bill there was anything to that effect? The hon. Gentleman had been accused of not having read the Amendment, he wondered sometimes if he had even read the Bill. There was a good deal to be said in favour of the view that if this work was to handed over to the education authority the education authority ought to be left free. But the hon. Gentleman had departed from the principle, and had limited the discretion of the education authority, by saying that, however much it might desire to do so, it must not associate itself with any committee unless it was itself represented on that committee. There could be hardly any doubt that the information at the disposal of the boards of guardians was very valuable. In the case of a family who were already in receipt of relief from the guardians, was it not desirable that the Committee, which was considering whether a meal should be given to a child, should be aware of the fact that the family was already receiving assistance, or did hon. Members belong the gangway desire to see the child relieved twice over? It was a blot on the machinery of the Bill that it was perfectly possible, unless some such Amendment as this was accepted, for a number of children, or one child, to receive public relief twice over, and that was a condition of things that everyone would be unwilling to allow. The Amendment did not infringe the principle of the Bill, and he should support it.

*MR. CLAUDE HAY said he did not intend to vote for the Amendment. It was, in his opinion, quite unnecessary for the boards of guardians to be brought into the Bill at all. On the teaching staff of the schools there were suitable persons who had better means than either Poor Law guardians or officers of ascertaining the true conditions of the family life of the child attending the school. The object of the Bill was to give to hungry children a meal at once, and not to wait to ascertain the home conditions before the hunger was relieved. If the boards of guardians were to be introduced the Bill might just as well be made a Poor Law Bill at once. He hoped the Committee would join with the Government in resisting the Amendment.

Question put.

The Committee divided: Ayes, 33; Noes, 186. (Division List No. 470.)

AYES.

Acland-Hood, Rt Hn. Sir Alex. F
Balcarres, Lord
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cavendish, Rt. Hon Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cox, Harold
Craig, Captain James (Down, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Hunt, Rowland
Kennaway, Rt. Hon. Sir John H.
Lambton, Hon. Frederick Wm.
Liddell, Henry
Lonsdale, John Brownlee
Magnus, Sir Philip
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Smith, F. E. (Liverpool, Walton)
Thornton, Percy M.
Valentia, Viscount
Wortley, Rt. Hon. C. B. Stuart
Younger, George

TELLERS FOR THE AYES—Mr. Samuel Roberts and Mr. Ashley.

NOES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Alden, Percy
Ambrose, Robert
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beaumont, Hn W. C. B. (Hexham

Beck, A. Cecil
Bellairs, Carlyon
Billson, Alfred
Boland, John
Bottomley, Horatio
Boulton, A. C .F. (Ramsey)
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner,RtHn.Sir.JT(Cheshire
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Causton,Rt Hn.RichardKnight
Channing, Sir Francis Allston
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cogan, Denis J.
Collins, Stephen(Lambeth)
Collins,SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett,CH(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan,C.(Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Ginnell, L.
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Halpin, J.
Hardie,J. Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Horniman, Emslie John
Howard, Hon. Geoffrey
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, Sir D.Brynmor(Swansea
Jowett, F. W.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederick C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down,S.
MacVeigh,Charles(Donegal,E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Mallet, Charles E.
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morpeth, Viscount
Murphy, John
Murray, James
Napier, T. B.
Nicholls, George
Nicholson,CharlesN(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien,Kendal(Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor,James(Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Grady, J.
O'Kelly,James(Roscommon,N.
O'Shaughnessy, P. J.
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C.E. (Edinb'gh,Central)
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Rees, J. D.
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Roberts, G. H. (Norwich)
Robertson,Sir G.Scott(Bradf'rd
Robson, Sir William Snowdon
Rogers, F. E. Newman
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L (Cleveland)
Schwann, Sir C.E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F.(Leitrim, S.)
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampton
Wason, Eugene(Clackmannan
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Wilson, W. T. (Westnoughton)
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. LOUGH claimed, "That the Question 'That the words of the clause to the word "save," in page 1, line 18, stand part of the clause,' be now put."

Question put, "That the Question 'That the words of the clause to the word "save" in page 1, line 18, stand part of the clause,' be now put."

The Committee divided: Ayes, 176; Noes, 33. (Division List No. 471.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Alden, Percy
Ambrose, Robert
Atherley-Jones, L.
Baker, JosephA.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)

Barnard, E. B.
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexh'm
Bellairs, Carlyon
Billson, Alfred
Boland, John
Bottomley, Horatio
Boulton, A. C. F. (Ramsey)
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, RtHnSirJT(Cheshire)
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Causton,RtHn.Richard Knight
Channing, Sir Francis Allston
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins,SirWm.J.(St.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, CH(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dickinson, W.H.(S.Pancras,N.)
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C.(Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Ginnell, L.
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Halpin, J.
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Horniman, Emslie John
Hyde, Clarendon
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, SirD.Brynmor(Swansea)
Jowett, F. W.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Charles(Donegal,E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Money, L. G. Chiozza
Morgan, G. Hay (Cornwall)
Murphy, John
Murray, James
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Grady, J.
O'Kelly, James(Roscommon,N
O'Shaughnessy, P. J.
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C.E.(Edinb'gh,Central)
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Rees, J. D.
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Roberts, G. H. (Norwich)
Robertson,SirG.Scott (Bradf'rd
Robson, Sir William Snowdon
Rogers, F. E. Newman
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Schwann, SirC.E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T.(Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Smeaton, Donald Mackenzie
Smyth, Thomas F.(Leitrim, S.)
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L.(Leeds, S.)
Ward, John (Stoke upon Trent
Ward,W.Dudley (Southampton
Wason, Eugene (Clackmannan)
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Ashley, W. W.
Balcarres, Lord
Banbury, SirFrederick George
Barrie, H. T.(Londonderry, N.)
Beach, Hn. MichaelHughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cavendish, Rt.HonVictor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cox, Harold
Craig, Captain James(Down,E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Hunt, Rowland
Kennaway,Rt Hn.Sir John H.
Lambton, Hon. Frederick Wm.
Liddell, Henry
Lonsdale, John Brownlee
Magnus, Sir Philip
Morpeth, Viscount
Pease, HerbertPike(Darlington
Roberts, S.(Sheffield,Ecclesall)
Sloan, Thomas Henry
Smith, F.E.(Liverpool,Walton)
Thornton, Percy M.
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly.

The Committee divided: Ayes, 179; Noes, 32. (Division List No. 472.)

AYES.

Acland, Francis Dyke
Adkins, W. Ryland D.
Alden, Percy
Ambrose, Robert
Atherley-Jones, L.
Baker, JosephA.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beaumont, HnW.C.B.(Hexham
Bellairs, Carlyon
Billson, Alfred
Boland, John
Bottomley, Horatio
Boulton, A. C. F. (Ramsey)
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, RtHnSirJT(Cheshire)
Buchanan, Thomas Ryburn
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cairns, Thomas
Causton, Rt.HnRichardKnight
Channing, Sir FrancisAllston
Churchill, Winston Spencer
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett,CH(Sussex,E'Grinst'd)
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craig, HerbertJ.(Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Delany, William
Dickinson, W.H.(S.Pancras,N.)
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Ginnell, L.
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Halpin, J.
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Horniman, Emslie John
Hyde, Clarendon
Illingworth, Percy H.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jones, SirD.Brynmor(Swansea)
Jowett, F. W.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Charles(Donegal,E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Money, L. G. Chiozza
Morgan, G. Hay (Cornwall)
Murphy, John
Napier, T. B.
Nicholls, George
Nicholson, CharlesN(Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Grady, J.
O'Kelly, James(Roscommon,N
O'Shaughnessy, P. J.
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh,Central)
Radford, G. H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Rees, J. D.
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton.
Roberts, G. H. (Norwich)
Robertson, SirGScott(Bradf'rd
Robson, Sir William Snowdon
Rogers, F. E. Newman
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Schwann, Sir C.E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smith, F. E.(Liverpool,Walton
Smyth, Thomas F. (Leitrim, S.)
Spicer, Sir Albert
Stanger, H. Y.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walker, H. De R. (Leicester)
Walsh, Stephen
Ward, John (Stoke uponTrent)
Ward,W. Dudley(Southampton
Wason, Eugene(Clackmannan)
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Wilson, W. T. (Westhoughton)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,RtHn Sir Alex.F.
Ashley, W. W.
Balcarres, Lord
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cavendish, Rt.Hn.Victor C.W.

Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cox, Harold
Craig, Captain James (Down, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Hunt, Rowland
Kennaway, Rt. Hn. Sir John H.
Lambton, Hon. Frederick Wm.
Liddell, Henry
Lonsdale, John Brownlee
Magnus, Sir Philip
Mallet, Charles E.
Morpeth, Viscount
Pease, Herbert Pike (Darlington
Roberts, S. (Sheffield, Ecclesall)
Thornton, Percy M.
Valentia, Viscount
Wortley, Rt. Hon C. B. Stuart-
Younger, George

Tellers for the Noes—Sir Frederick Banbury and Mr. Hicks Beach.

*Mr. BRIDGEMAN moved to omit the words "save as hereinafter provided," which referred to the power taken in Clause 3 for the local authority to defray the cost of food in certain cases. He understood that it was desired that this question of principle should be decided on his Amendment. He thought all hon. Members agreed that the existence of underfed children was proved, but some of them differed as to the cause and extent of the evil. He thought they were all of the opinion that if they were going to legislate upon this subject their object should be to do something which would undoubtedly contribute to the better health of the children of the country. A great many of them thought that if they once began to provide meals out of public money they would at the same time begin to undermine domestic and home life. The principle of Clause 3 was entirely wrong. If they were going to spend money in this direction he would far rather see money prizes given to the children of poor parents who sent them to school in a well-fed and nourished condition. In that way they would increase parental responsibility, and do a great deal more good, while probably not spending any more money. The provision of public money to feed the children would lessen the sense of parental responsibility and diminish any chance the child might have of getting the advantages of home life and the attention of parents. The number would be increased of careless parents who did not realise their duty towards their children, while careful parents who tended their children would have to contribute to the rates in order to find money for the careless. Hon. Members on the Labour Benches did not seem to be in the least afraid of that result. That was one course. He did not suppose that many people would contend that to put this obligation upon the rates was anything but a form of Socialism. Those who did contend that it was anything else would have an opportunity of proving it in their speeches later on. The issue was between Socialism and family life, and he was on the side of family life. The speeches of the hon. Member for Bradford and others below the gangway on the Second Reading of the Bill showed that they held it to be the duty of the State to feed the children of those who were not earning enough wages. That was a most dangerous proposal. He thought it would be better if hon. Members below the gangway would turn their attention to the raising of wages. In that course he would be fully in sympathy with them. He was all for workmen getting their fair share of the profits of trade, and he wanted them to use the money to pay for their own children, and not to say, "I am entitled to be paid by the State because I am unable to earn more than so many shillings a week." Socialism was at the bottom of Clause 3 of the Bill. Hon. Members below the gangway did not deny it. They called themselves the Independent Labour Party. Where was the independence? Independence was the very last word he should be inclined to use in connection with a proposal of this sort. There were many reasons besides those he had mentioned for thinking that the Bill would do harm. It was perfectly clear from the evidence that there had never been any serious attempt to raise money voluntarily which had not met with adequate support. He knew from his own experience that money enough could be obtained voluntarily to feed every child that was necessitous, for there was no object for which money could be more easily collected than the amelioration of the lot of children. Hon. Members said that charity was demoralising. It was as much charity to take money for this purpose out of the rates to which the man next door contributed—though he was not earning more than the man whose child was to be fed—as it was to be assisted by the charity of those who were able and willing to give it. The proposal of the Bill would encourage more mothers to take work out of doors, and where mothers worked out there was a much greater likelihood of children coming to school badly fed and badly clothed. In an investigation made by the Charity Organisation Society 124 boys were taken who were conspicuously above the average in physique, and it was found that in only thirteen cases the mothers worked out. On the other hand 110 boys were taken who were conspicuously below the average, and it was found that in fifty-seven cases the mothers worked out. Did hon. Members below the gangway believe that it was actually good for children that the mothers should work out? [AN HON. MEMBER: Nothing of the kind.] It was bad for children to have mothers working out, and they should do anything they could to discourage it. Women who had worked among the poor were very emphatic in their opinion against throwing this charge upon the rates. At a meeting held in Birmingham in October, 1905, papers were read on this particular question, and a debate took place afterwards. He would quote a few of the remarks which were made by ladies of experience—

> "Dr. Ruth Wilson of the Salvation Army said that the Army never gave free food, but they had farthing breakfasts for children. The question should be considered from the widest point of view. They must not only think of the State cost, but of the social cost.
>
> "Mrs. George Cadbury said she had discussed the subject with many working women, and they entirely disagreed with the proposed payment by the rates for food for school children. The rates already pressed heavily on the lower middle class. It would be best to try to get to the root of the evil by giving better teaching to the mothers and to the future mothers of the country,
>
> "Miss Horn maintained that they should try to get the children better fed many years before they went to school at all."

If mothers who did not know how to take care of children could only be trained in hygiene, there would be an enormous diminution in infantile disease and mortality [Laughter.] It was all very well to laugh, but if hon. Members did not believe what he stated they might kindly associate themselves with one of the societies which were helping to improve the conditions of the poor and to disseminate knowledge, not only in regard to hygiene, but also in regard to the feeding and clothing of children. If they did so they would see for themselves what was being done for the benefit of the children of the country. When the possibility of getting public money to provide meals for school children was put before people an increasing number of parents would take advantage of this fact, and at the same time many voluntary subscribers would cease to subscribe. It was not so much the actual cost in money which he dreaded as the social cost. He doubted whether much money would be recovered from the parents, and also whether it was the intention of many of those who desired this Bill that there should be much endeavour to recover it. Experience, except in the case of crippled children, had not shown that it was easy to recover; and the exception was explained by the greater readiness of parents to expend money on their sick and helpless children. Whether it was popular or not to say that one would vote for this proposal, he said he would not vote for it, believing it would mean the degradation of many people. He begged to move.

Amendment proposed—

"In page 1, line 18, to leave out the words "save as hereinafter provided.' "—(*Mr. Bridgeman.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

DR. MACNAMARA said they were now at the great principle of the Bill, and he thought it was a pity that the discussion had gone on for five and a half hours before reaching it. This matter was the central feature of the discussion in the Committee upstairs, and after the most painstaking consideration they carried by nine votes to three the proposition that in cases of great necessity public aid should be given. The three in the minority were the hon. Member for the Oswestry division, the hon. Member for

Glasgow University, and the hon. Member for East Down. Amongst the nine was the hon. Baronet the Member for Wigan, who crowned half a century of honourable political life by supporting the proposal to do something for those unhappy little scraps of humanity, hedged round as the proposal was by conditions for preventing economic abuse. Was the hon. Baronet a violent Socialist? That was a name which the hon. Baronet would be inclined to repudiate. He had himself for many years believed that voluntary agencies were sufficient to meet the work of feeding hungry children, but he was driven from that belief by the hard facts of the case. Voluntary agencies fluctuated, and the people who needed their aid most were often people of tender susceptibility who shrank from coming forward to receive it. It was only in the winter that it was easy to get money to feed children; the voluntary agencies always broke down in the summer time. At Easter time last year Sir John Gorst and himself visited Johanna Street School, and they found that what happened there was a very good illustration of what happened everywhere. The weather had suddenly got cold. There had been a long and serious strain upon the funds, and they were told that because of the failure of the funds the breakfasts and dinners next week were to be reduced by a half in order to eke the money out until the weather was milder than it had been for several weeks. For these reasons be was driven to the conclusion that voluntary aid could not be relied upon. He had every desire to strengthen parental responsibility, and it was the feeding of the children by charitable agencies that tended to sap that responsibility. It had been found in any number of cases that parents, whose children had received this assistance, were well able to afford, by spending a few pence less in self-indulgence, to pay for the food; but the charitable agencies had no means of following up those drunken, thriftless, and careless parents who ought to be punished. With the Bill the machinery for that purpose would be set up, and gradually a conscience would be developed among those parents, just as the enforcement of the attendance of children at school by the Act of 1870 had developed from a legal to a moral obligation upon the parents. There was any amount of evidence in the Reports of the Royal Commission and of the Departmental Committee to show that the voluntary agencies were insufficient to meet the case. The Physical Deterioration Committee of 1904, on which were Mr. Jackman, Mr. Shepheard, Father Brown and Canon Barnett, reported that—

> "With scarcely an exception there was a general consensus of opinion that the time has come when the State should realise the necessity of ensuring adequate nourishment to children in attendance at school. It was said to be the height of cruelty to subject half-starved children to the processes of education, besides being a short-sighted policy, in that the progress of such children is inadequate and disappointing. And it was further the subject of general agreement that, as a rule, no purely voluntary association could successfully cope with the full extent of the evil. Even those witnesses who were inclined to think that its magnitude had been much exaggerated, did not question the advisability of feeding, by some means or other, those children who are under fed, provided it could be done quietly and without impairing parental responsibility."

He agreed that that was so, but the Committee went on to say—

> "It seems, further, that in a large number of cases voluntary organisations with the support and oversight of the local authority are sufficient for the purpose, and as long as this is so the Committee would strongly deprecate recourse being had to direct municipal assistance."

Then the Committee went on—

> "Circumstances, however, do arise which call for more immediate attention and in which the in the way of home provision of suitable food, school authority taking into account the difficulty and the number of children who attend school habitually underfed, are willing to provide regular and sufficient meals, and in such cases the Committee agree with the opinion of the Royal Commission on Physical Training (Scotland) that 'the preparation and cooking of these meals, where it is found necessary to provide them, ought to be regarded as one of the charges incident to school management.'"

And then the Committee continued—

> "In some districts it still may be the case that such an arrangement would prove inadequate, the extent or the concentration of poverty might be too great for the resources of local charity, and in these, subject to the consent of the Board of Education, it might be expedient to permit the application of municipal aid on a larger scale. As a corollary to the exercise of such powers—which should be by scheme sanctioned by the Board—the law would have to be altered so as to furnish means,

as was suggested in evidence, to compel the neglectful parent to take his full share of responsibility, and the Committee are sanguine that a few prosecutions to this end would have a most salutary and stimulating effect."

This Bill was based substantially on the report of the Physical Deterioration Committee. Of the 137 county boroughs there were ninety-nine which had no voluntary associations or agencies to cover the ground, and he hoped that the Committee would approve of this clause which would enable these scraps of humanity to have some food given them when they were compulsorily driven into the schools.

*MR. EVELYN CECIL (Aston Manor) said he had listened to the speech of the hon. Member for North Camberwell, and he could only say that he regretted the decision to which the hon. Gentleman had come. He did not agree with him about what he said as to voluntary agencies being unreliable wherever they had been tested. The hon. Gentleman had also stated that in many county boroughs there were not any voluntary agencies. That was quite true, but why should they not be established at once? He himself believed that many people would subscribe to them if properly organised. He felt very strongly that the clause would encourage wild socialistic theories and check the flow of charity. The hon. Gentleman had said that if the rates were given for providing food to the children it would develop a public conscience in regard to this matter of the feeding of children; but he could not follow that reasoning at all. He maintained that giving relief out of public funds would be much more dangerous to the public conscience than the giving of assistance by voluntary agencies. It was well known how members of public bodies were disposed to take part in a job, and it was far more desirable to have the administration of these funds out of the hands of municipal bodies, and put into the hands of voluntary committees whose administration might be relied upon to be more unbiassed. He greatly feared that the public administration of those funds would undermine the responsibility of parents in regard to the support of their children, and would open the door to public jobbery. This proposal would put a premium upon idleness and encourage a general belief that, no matter how many children a man had, the State would in the long run come to his assistance. That was a most objectionable outlook, and it was one which they should do all in their power to prevent. By this Bill, however, they were doing exactly the opposite, and were infringing the elementary principles of political economy. He was as anxious as any Member of the House could be to do all that was possible for these poor, unfed children in really genuine necessitous cases. But everybody must be aware that it was extremely difficult to put a proper test as to what was a necessitous case and to be quite sure that they were not doing more harm than good by offering public money to alleviate such cases. What they ought to do was to try to raise the whole conditions of life instead of offering a bribe to lower it. It was on these grounds that he objected to the principles of the Bill, which endeavoured to grant public money to these unfortunate children either out of State funds or the rates, with the result that in many cases the conscientious man, who could only just make both ends meet had to pay rates in order to contribute to the expenses of the unconscientious man who could, if he liked, make both ends meet, but thought it better to throw his children on the public for support. Anybody who voted for this Bill really voted for Socialism pure and simple. There was no disguising it. Those who voted against this Amendment were really Socialists and nothing else. [MR. KEIR HARDIE: We are all Socialists now.] No doubt his own definition of social reform would be very different from the hon. Member. He was extremely anxious to insure the application of charity where it was desirable, but he should certainly vote against this proposal. On the other hand he would suggest that if this proposal were not passed a stimulus would be given to other means being used either by individual effort or other voluntary agencies all over the country. He was sure that if the work was done in a systematic way they would get a large number of subscriptions to carry it out. In necessitous districts that might not be the case, but he thought it was true of other districts throughout the country If such a scheme were worked in a proper manner he thought a great deal could be done to secure permanent annual subscriptions towards the funds. If on the other hand they allowed this relief to be given in the way proposed by this Bill, he had the greatest fear of the result. He thought that it would lower the standard of home life, which they all wished to raise, and that rather than encourage their fellow citizens to lead higher and nobler careers they would be sapping the foundations of national life and independence. On these grounds he should support his hon. friend's Amendment.

*MR. KEIR HARDIE said that if this Bill was Socialism it was framed on the model of the Unemployed Workmen's Act of last year. That Act enabled 1d. in the £ to be spent upon the provision of work for the unemployed. This Bill only provided for ½d. in the £ for unfed children. If it was pure Socialism to give ½d. from the rates for unfed children, what could be said of the Bill of the last Government under which they gave 1d. in the £ in order to provide grown men with work? He did not think the hon. Gentleman who had spoken so often that afternoon knew what it meant to them to sit there and listen to their wives being described as slatterns and themselves as spendthrifts. Their feelings were those of the toad under the harrow. It was absolutely untrue to say that they wanted their children to be quartered on the rates, but neither did they want children to be starved through the lack of ability on the part of the parents through no fault of their own to provide them with food. Might he remind the Committee that under this Bill the parent had no power to say that his child should be fed from the rates, because that question was to be decided by the local education authority. Under the new Bill which, they hoped, and still were hoping against hope, would become law shortly, there was provision made for medical examination, and necessarily the medical officers would be called in to assist the authority in deciding in the case of underfed children. Therefore the insinuation that was being put forward that under this Bill there would be an indiscriminate feeding of children of drunken and thriftless parents was to caricature the Bill and totally to misrepresent the ideas of those who supported it. They had heard a good deal about home life. What proposals had hon. Members to make who wanted to brighten home life? Would they support a Bill for the minimum wage? That would be Socialism. Let him give one fact as to the wants of communities. The Glasgow School Board had petitioned against this Bill, but hon. Members must bear in mind the fact that whilst petitioning against the measure they admitted the failure of local charity to deal with the question of meals for children, and asked that the power possessed in England by boards of guardians to feed hungry children should be conferred upon parish councils in Scotland. Last year a Committee of the Glasgow School Board was appointed to examine into this question, and they took fifteen schools as a test. In those fifteen schools the head masters reported that there were 1,363 children who appeared to be underfed, but the Committee did not accept the opinions of the head masters and said to the Charity Organisation Society, "Will you test these figures?" And the Charity Organisation Society inquired with all the care and *minutiæ* for which they were distinguished into 440 cases, and their report was that only forty could be classed as those of children who were undeserving to be helped because of the habits of the parents. But it was said that the children could be fed through private agencies. There were four agencies in Glasgow for providing meals, and all four fell short by 800 cases of being able to provide one miserable meal a day. This was not necessarily a case put forward on behalf of the destitute. What was true of Glasgow was true of London and other towns, and private charity could not cope with the cases of underfed children. He had been consulting with a man whose authority all Members must admit, namely, Mr. George Hookham, of Birmingham, who had spent his life in studying this question and who believed in parental responsibility and would not do anything to lessen it. But he strongly backed up and supported this Bill because of the failure of private charity. If this question was left to be dealt with by the boards of guardians the self-respect of the parents would not allow them to apply for relief, and therefore the children suffered. He hoped the Committee would not be contented until the question they were discussing was settled in the way which had been suggested. The appearance of the Front Opposition Bench and the attenuated attendance in the Lobby showed that the Opposition were not fighting this question. That being so, he hoped hon. Members who had conscientious objections to the children having food put into their starving bodies would content themselves with protesting in the Lobby and not continue a protracted discussion which could have no effect.

MR. LAMBTON (Durham, S.E.) said that the Committee had already agreed that the word "necessitous" should not be in the Bill. The Bill therefore only authorised the provision of meals to children.

MR KEIR HARDIE said Clause 3 only applied to necessitous children, and these words could only apply to Clause 3.

MR LAMBTON said that might be so, but if it were, they ought to have a Member of the Cabinet in the House to tell them so. The Parliamentary Secretary and the hon. Member for Merthyr must also remember that the Committee under the closure had already ruled out the whole of the clause. What they were objecting to now was the cost of the food of all the children being placed upon the rates. Then there was the question of the parental authority, which was a subject which could not be passed over lightly. A good deal had been said about parents' responsibility to their children, but it must also be remembered that children had responsibilities towards their parents, and that their sense of respect to their parents would be blunted if in the schools they were to be fed as well as taught. The Report of the Departmental Committee pointed out most distinctly that in the placing of the feeding of the children on the rates there was the danger of the parent losing the sense of responsibility to the children which ought to exist. For that reason he submitted that this discussion should go on and not be closed, as suggested by the hon. Member for Merthyr.

*MR. MALLET (Plymouth) said he would like to follow the example of the hon. Member for Merthyr, to take the points of fact which were the real issue in this question and consider the extent of the evil. If they took the evidence given before the Select Committee, which was very full and valuable, they were driven to the conclusion that there were a great many evils besetting school children which it was their duty to try to cure, but that the actual want of food among them was a good deal smaller than many supposed. He did not wish to be guilty of any special pleading, but it was this evidence which affected him in coming to a conclusion. The hon. Member for Bath, in particular, had given some evidence based on eighteen years experience of Cardiff. The attendance officers at Cardiff, after close inquiry, came to the conclusion that the number of underfed children in Cardiff in the winter time was only 1 per cent. of those attending the schools, and that in summer the percentage fell below that. In London the Chairman of the Education Authority estimated the number of children in want of food at 2½ per cent. In West Ham they had a necessitous district and a district which took a very liberal view of its public obligations, but if they took the evidence given before the Select Committee by a Member of the Education Committee and Borough Council, Mr. Watts, they would find that in a group of necessitous schools containing 5,000 children there, Mr. Watts estimated the number of underfed children to be not more than 4 per cent.

MR. THORNE (West Ham, S.): It is absolutely untrue.

*MR. MALLET: We cannot get rid of facts we do not like by statements of that kind.

MR. CROOKS (Woolwich): Prove your facts; do not manufacture them.

LORD R. CECIL asked the Chairman whether it was in order for Members below the gangway perpetually to interrupt speakers in this manner.

THE CHAIRMAN said he did not think the observation applied particularly to hon. Members below the gangway. He would like to say, however, that it was far too much the habit to interrupt Members who were addressing the House. The practice should be avoided except when the interruption was pertinent and for some special purpose. It only prolonged proceedings, and did no good whatever.

*MR. MALLET said he did not want to say anything provocative or to class as facts what were only opinions. He was merely taking the evidence of the Select Committee upon which he had tried to base his view. That was the opinion expressed by Mr. Watts before the Committee. Let hon. Members take a case in Bethnal Green. There Mr. Scott, a teacher of twenty-three years standing, told the Committee that last Christmas he tried to test this question. He took his own school of 700 children, and picked out forty children who were ill-nourished, and seemed to be underfed. They then made investigation at the homes of the forty, not by means of ignorant visitors, but by specially trained visitors, and it was found that in only three cases was there any actual want of food, though there were many of the forty children who required attention in other ways. The medical evidence was also important. The evidence of Dr. Ker, the medical officer of the London County Council, was very remarkable. Some years ago he was in Bradford and there he assisted in an examination of the children in one of the poorest schools in the city; he began by expecting to find a number of underfed children, but on working through the school he only found 2 per cent. of cases where the condition of the child was traceable to the actual want of food. In Blackburn another medical officer who made an independent inquiry found that under 2 per cent. of the children were in actual want of food. It was facts like these which, though they were in deepest sympathy with hon. Members opposite, made some of them ask themselves what were the real dimensions of this evil. Was it not after all a limited number who were afflicted in this way? Was not the want of food among school children a thing which ought to be attacked as a local and occasional evil to be relieved by charity, and not placed upon the rates as a permanent universal need? Were there or were there not charitable funds enough existing to meet the need? With respect to that again he could only quote expert opinions, but the evidence given before the Select Committee was astonishingly strong. It was perfectly true that one teacher in Walworth did say that he could have spent more money on dinners, had he had it; but he stated clearly and fairly that his committee gave dinners without much inquiry or investigation; that they spent £400 or £500, and only recovered £17 from the parents which shows that no great effort was made to diminish the cost; and that in many cases the parents of the children could afford to pay. But on the other hand the voluntary funds were ample as a rule. In West Ham, if anywhere, one would expect money to run short for charitable objects. But did that happen in this case? Nothing of the kind. Mr. Watts thought the fund had met all the cases. He said they had no difficulty in getting money; that they "always managed to pay their way and carry forward a credit balance." If that was so in West Ham, surely voluntary funds ought to be sufficient elsewhere. At Bethnal Green Mr. Scott, examined before the Committee, said he did not think it would be difficult to find all the money necessary by means of voluntary subscriptions; he thought there would be money to spare. In Bradford, before the Guardians were called upon, money was always forthcoming. £3,000 was raised by the Mayor of Bradford in a few weeks. Then the Local Government Board allowed the guardians to pay, and immediately the voluntary efforts diminished. The Committee might depend upon it that once they made the rates available, the voluntary effort would fall off. The hon. Member for Merthyr had quoted Glasgow; but all the witnesses from Scotland called before the Select Committee were opposed to the feeding of children from the rates, and gave the strongest expression of opinion against the principle of this Bill. With regard to London Mr. Shepheard, the Chairman of the Education Committee, gave evidence to the effect that they had no difficulty in raising what money was wanted in London; that 80 per cent. of the parents paid, and that the rest was easily got from voluntary sources. Sir

Charles Elliott, who had been Chairman of the Joint Committee for a good many years, insisted with regard to this question that it was not a matter of money; money, he said, was always to be got. If it was the fact that voluntary money was always forthcoming, were they in the House of Commons justified in throwing this overwhelming burden on the rates? Moreover, any measure of this kind which endeavoured to combine the two conflicting principles of raising money by voluntary subscription and using the rates was doomed to fail. There was hardly a single witness before the Committee who was not clear on the point that, if the rates were allowed to be used, private subscriptions would fall off. That had been conclusively proved both in Manchester and Bradford. In Manchester for twenty-six years they raised voluntary funds sufficient to meet their needs; then the Local Government Board Order came and the voluntary funds stopped. In Bradford, until the Local Government Board Order was published, the voluntary effort was sufficient, but directly the rates were put under contribution the voluntary subscriptions ceased. People did not think there was the same need of them. Let them take as a last point the case of France. Paris was often quoted with regard to the feeding of the children, but after all in France feeding at restaurants was a national habit, but in England the family meal together had always been the centre and the symbol of the home. In Paris they had some private contributions still, which were used mainly for clothing and so forth, although some little was given for food. But the figures in the report of 1902 showed that 1,400,000 francs had been spent in food, that of that amount parents had contributed 300,000 or 400,000 francs, but that private charity had only contributed 28,000 francs, or one fiftieth of the whole. That showed that once they made a public rate, private subscriptions fell away. Therefore, on the grounds he had urged, he ventured to support the Amendment.

Sir FREDERICK BANBURY said the Amendment raised the point made by the Leader of the Opposition earlier in the afternoon, namely, whether the Government would take steps to secure that the whole of the cost should be recovered from the parents. He hoped the hon. Gentleman in charge of the Bill would tell them what course the Government proposed to take in that regard. There was a very considerable difference of opinion with regard to whether or not there was any necessity for this. The hon. Gentlemen below the gangway told the Committee that it was necessary something of this sort should be done, because of the greatness of the evil. The hon. Member for Plymouth, on the other hand, told them that the number of necessitous children was very small, and he gave the figures. That was also the opinion of the hon. Gentleman in charge of the Bill, because in the Report of the Committee which he signed, it said that the inadequate feeding of the children attending public elementary schools was a real evil in some of the large towns. The reflection which was unnecessarily cast upon Members sitting above the gangway by the hon. Member for Merthyr when he said they were endeavouring to show that the poorer classes were either intemperate or thriftless was not justified. He had not heard a single word of justification for that accusation, except from a Committee of which the hon. Gentleman in charge of the Bill was chairman. Practically running through the whole of the evidence was the statement that in many cases what the children were suffering from was the want of proper food or properly cooked food. One of the strong reasons he had for objecting to the Bill was that if it were passed in its present form it was certain to take away from the parents all responsibility for ascertaining what was best for their children, and how children could best be fed. What would happen would be that any number of parents would argue that if there was a good thing going they did not see why their children should be out of it. Then came the question as to the recovery of payment. If the funds required were raised by rates or taxes, the vast majority of working men would probably consider that they were justified in claiming their share in advantages provided out of the rates and taxes to which they were themselves contributors. Irrespective of the number who were anxious to pay, what possibility would there be of recovery? What steps were to be taken? Was the money to be collected every week, fortnight, or month? What would happen if after the children had received the food for a week, a fortnight, or a month, as the case might be, the parents moved into another district? He knew the number of people who removed in the district of Peckham. There were many midnight flittings. He did not think the hon. Gentleman had realised the great difficulties which must ensue if the authorities had to recover money from these people. Another very important point, the cost of these proposals. Certain information had been given to him with regard to the result in the district of West Ham. There were 300,000 inhabitants, of whom four-fifths belonged to the working classes. The pressure would be so overwhelming that the education committee would not be able to resist the demand for the provision of free breakfasts for all children in the schools, and in a little time a demand for free dinners would follow. The cost of feeding the 60,000 children in the schools with breakfast only would be £60,000, allowing only 1d. per head. If dinners were given at 2½d. per head the cost would be £150,000, which with the £60,000 would make the total cost in West Ham £210,000 a year, or an addition to the rates of 3s. 6d. in the pound. The cost of feeding all the children in the schools of London would be £1,520,000. It was true that the Bill limited the expenditure to a ½d. rate and was founded upon the idea that a sufficient amount of money would be provided by voluntary effort which added to the ½d. rate, would provide one meal a day. That was the original idea, but the hon. Member for North Camberwell had told them that in his opinion it would be impossible to rely on voluntary agencies. Voluntary aid would fall off because the people who had been furnishing the subscriptions would be told that the children would be provided with meals without their assistance. He knew the cost was limited to a ½d. rate, but when the election came round the cry would be "Vote for an increase in the ½d. rate." Then there was the question of the Socialist element in the Bill. Hon. Members below the Gangway had denied that there was any such element in the Bill, but how could any man say that the provision of meals by the State for the children was not Socialism. [AN HON. MEMBER: It is not provided by the State.] The Parliamentary Secretary had an Amendment on the Paper to leave out of Clause 3 the words "out of the rates," and that would no doubt be carried unless it was objected to by the hon. Member for Merthyr Tydvil. He did not see how any man could say that the provision of meals by the State was not Socialism. It was Socialism, whether the money came out of the local rates or out of Imperial taxes. Now it was proposed that the State had this obligation to find food; next it would be clothes; and then the State would have to provide other things. [MINISTERIAL cries of "Oh," and "Hear, hear."]

MR. CHIOZZA MONEY: I rise to a point of order. Is the hon. Member in order in discussing Socialism?

*THE CHAIRMAN: I do not see how Socialism can be kept out. I think the Amendment brings us directly to what is roughly called Socialism.

SIR FREDERICK BANBURY said the hon. Member who rose to a point of order had no arguments to refute what he had said. With their overwhelming majority the Government would, no doubt, force this measure through without showing any reason for it, but he hoped Members of the Opposition would make a last stand for individual freedom and not be led astray into these paths of Socialism which would surely lead to the ruin of this country.

*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham) observed that every one now was a Socialist more or less, for free education was Socialism, and having admitted free education a man could not logically deny the principle of this Bill. A number of witnesses appeared before the Committee which investigated this subject, and they gave direct evidence to show that in many cases the funds of voluntary agencies were not sufficient and more especially at other times of the year than during the winter. In Paris only a small proportion of the funds for the feeding of poor children came from voluntary agencies. He hoped that under this Bill private persons would continue to contribute, but he would not consider that the measure had been a failure even if private subscriptions fell off. Paris was not a good example, because there was no statutory requirement for recovering money from negligent parents; but although they had no compulsory powers under the Paris system no less than 58 per cent. of the parents voluntarily paid the fees for the meals supplied to their children. If they improved upon that system, as they did under this Bill, he thought the percentage of the parents who would pay for the meals of their children in this country would be larger than it was in Paris. There seemed to be an impression that the principle object of this Bill was a new-fangled Socialism which had never been tried before in any other country, but he wished to remind hon. Members that it had been tried in almost every country in Europe. The only fault he found with the measure was that it was ten years behind time; it had been carried out in other countries of Europe years ago. In Rome they had a scheme which was a combination of voluntary agency, of rate payment, and of a State grant. In the poorest districts of Rome between 94 and 98 per cent. of the parents paid for the meals their children had at school. He hoped when this Bill was in operation we should follow the Roman practice of payment for the meal prior to its being given. It got the children into good habits, and enabled the persons who had to provide the meals to know early in the morning how many they had to cater for that day. The scheme had worked with admirable success in Rome, and although it was perfectly true that in this instance private subscriptions had diminished, that had in no way militated against the success of the scheme or the benefits it had conferred upon the community. Were they going to depend upon the fluctuations of private philanthropy for the feeding of the children? We were spending in this country £28,000,000 a year upon the education of the children and in many schools they were under-fed. What was the good of spending these vast sums of money upon attempting to teach children who from their physical debility were quite incapable of receiving instruction? It seemed to him that upon the best principles of economy they were providing a sound scheme under this Bill, which had no pauperising element in it. The proposed scheme was far less pauperising than private agencies under which £30,000 a year was spent in an indiscriminate manner without that proper supervision and investigation which was necessary, which could only be given by statutory power, and which alone would enable them to use proper precautions. The Bill would create a statutory body upon which would be placed the obligation not only to teach the children, but also to see that they were not in a state of semi-starvation. This important question had been exhaustively examined by the Select Committee, and the evidence had convinced him that it was necessary to put this charge on the rates in order that the feeding of under-fed children might be carried out on a sound system. That work could not be properly done under the old system.

MR. JOWETT said the principle they were discussing on the Amendment was that of private voluntary subscriptions as against funds drawn from public sources, and if there was any town in the United Kingdom which had flogged this question out it was Bradford. It had been stated that Bradford offered a good example of how, as soon as public funds were available, private subscriptions languished. He was in a position to give the facts. In September, 1904, such distress existed in Bradford that the teachers under the education authority were called together to give advice and impart knowledge as far as they were able, as to the extent of under-feeding among the school children, and they reported to the education committee that in their opinion some 3,000 children in the Bradford schools were insufficiently fed, and an organisation which had experience in feeding in Bradford for a great many years, substantially confirmed the teachers' statement. Such was the feeling of the education committee, on the facts being stated, that they immediately passed a resolution to the effect that they would feed such children as needed to be fed out of public funds, and run any risks that they might be running thereby, and that resolution was actually confimed by the council. Such was the state of alarm among the well-to-do portion of the community at the idea of public funds being used for such a purpose, and fearing that it would establish a principle, that £3,000 was immediately subscribed to do the work. This was the point he wished to make. The £3,000 was not voluntarily subscribed for its own sake and in the ordinary way, but for fear of this bogey of the public coming in to do the work. But when that money was nearly finished there was no prospect of raising more, and there was not to-day. In Bradford there were four schools the scholars of which had been examined by the medical officer under the education authority, and only 23 per cent. of whom could be described as well nourished; 39 per cent. were below the normal and 38 per cent. were "bad to very bad." These were facts that ought to be noted, especially, when it was understood by the Committee that out of the 1,686 scholars in these schools only 145 were being fed under this marvellous and immaculate voluntary system. It had failed and failed entirely, and there was nothing for it but to support that Bill, which would do the work in a systematic way and recover the cost when necessary.

MR. PICKERSGILL (Bethnal Green, S.W.) said his hon. friend had referred to the testimony of a single headmaster in Bethnal Green. There were at least forty public elementary schools in Bethnal Green, and that to which his hon. friend referred was one where the circumstances were special and peculiar. It was not in any way a fair sample of the public elementary schools in Bethnal Green. The facts in connection with Turin Street School, Bethnal Green, absolutely contradicted the evidence which his hon. friend had quoted, for last winter no fewer than 130 children were found to be unfed or underfed. There were no funds collected in the ordinary way available for the feeding of these children, and they would have been altogether neglected but for the benevolence of a single individual, who paid for their food out of his own pocket. He was perfectly certain that the bulk of the headmasters in Bethnal Green would not at all concur in the testimony of John Scott, the headmaster whose opinion had been quoted.

MR. LOUGH said the hon. Member for South-east Durham had asked whether the charge on the rates was only to be for providing food to necessitous children. Clause 3 said that—

> "Where the local education authority are satisfied that owing to the necessitous character of the area, funds other than public funds are not available or are insufficient in amount to defray the cost of food furnished in such meals they may apply to the Board of Education, and that Board may authorise them to spend out of the rates such sum as will meet the cost of the provision of such food. . . ."

The words "necessitous character of the area" were rather unsatisfactory, because some districts might not be necessitous as a whole, although they might be in parts, and he hoped they might find words to give better expression to the intention of the Bill while retaining this test. The hon. Member for Plymouth had stated that in Paris only £1,000 out of £50,000 or £60,000 was found by voluntary contribution. While that statement was true, he would point out that £15,000 was found by the children themselves, so that only £40,000, or two-thirds of the whole cost, was found from the public funds. Last year 10,000,000 dinners were supplied to school children in Paris. He mentioned that fignre to show what a mighty work was done with a small sum. In London there was no evidence to show that anything like £15,000 was paid by the children, and at present the voluntary system was attended with all the evils which flowed from such a system. Anybody who compared the London and Paris systems ought to be convinced that it was time to make a change in the Paris direction. It was not proposed by the Bill to introduce a system on a compulsory basis. The Government hoped that the voluntary system would be maintained, and that it would be successful. But if it was not successful, the local education authority would have power under the Bill to provide money out of the rates. He did not believe that the maximum amount spent in London would be £90,000 including the cost of machinery. The hon. Member who opened the debate in a very interesting speech was perfectly consistent, and said that something must be done; but he thought the charge should not be made on the rates. Such a Bill, however, as the hon. Gentleman suggested, would be a mockery, a delusion, and a snare; and no responsible Government could construct a Bill of that kind without money behind it. It should be remembered that the expenditure out of the rates under this Bill was limited to the produce of a halfpenny rate. It was quite evident that if children had to be fed, the work would cost money, but he insisted that the Bill bristled with safeguards against undue expenditure. The cost could be recovered from the parents, the area must be necessitous—and there was no evidence that in the rural areas there would be any necessity for a rate at all—the money would only be needed if no other funds were available; the Board of Education must sanction the raising of the rate, and, as he had already stated, the rate could never exceed a halfpenny. A halfpenny rate all over the country would raise £360,000, but leaving out the rural areas, the cost in all the towns of the country would amount to only £250,000. The Committee ought to realise that as we spent £25,000,000 on compulsory education we should not grudge an additional £250,000, to make that education effective. The Bill had been constructed on economic principles, and the object was to humanise our educational system, and to get rid of this great scandal, especially when the cost was so paltry.

*SIR HENRY CRAIK said it was not the fault of the Opposition that a question of this magnitude and importance had to be considered in an attenuated House at half past eight on a Friday night. But was that any reason why they should fail to state the arguments, which, in their opinion, rendered this proposal very dangerous? The hon. Member opposite talked about humanising the schools. He echoed that sentiment. He wanted to keep our schools humanised and not to be pushed into the hands of those who would degrade the schools and degrade the school attendance. He would not enter into social questions, but he desired to call the attention of the Committee to some points which had not received the attention they ought to have done at the hands of the Committee. An hon. Gentleman had spoken of the cost of the proposal in the Bill; but if the cost were three times as much, if it would accomplish a real good to the working classes of this country, he would not raise a difficulty on that score. If there was one delusion greater than another in regard to this Bill it was the miserable delusion as to the halfpenny limit to the rates. Was it possible to impose a limit if it were a question of preventing the starvation of children? He insisted that they could not limit the rate to a halfpenny if they dried up the sources from which hitherto they had obtained assistance towards the sustenance of these children. Moreover, by the proposals in the Bill they would discourage parents from discharging their natural duty towards their children. On the Second Reading of the Bill he had given a calculation as to the cost which this Bill would involve, and that had been received with jeers, but a few weeks afterwards, in answer to a Question put to the President of the Board of Education as to the cost which such a system would entail on London alone, the right hon. Gentleman's reply was precisely in the same proportion as that on which he had based his estimate. They were told that they would recover a good deal of the money from the parents. They had had the case of Bradford quoted again and again, and he would like to give the answer which Mr. Crowther, who was responsible for the working of the system, gave to some questions which were put to him. The number of meals supplied to children was 109,132, and he was asked how many were paid for by the parents, and he said, "We have recovered from the parents voluntarily £1 19s. 3d." He was asked whether the game was worth the candle if prosecutions were instituted in the case of parents who did not pay. He replied that "it was not worth the candle, the guardians never expected it would be" and their expectations were fully justified, because the total amount recovered from parents by process was only £1. Once the expense was incurred, every manager of an industrial school and every local authority would tell them that the sum recovered after legal process was practically *nil.* Figures had been quoted with regard to the large proportion of children suffering from malnutrition, but that was not always caused by under-feeding; it was caused still more by defective housing, defective clothing, ill-judged feeding, and from a total absence of knowledge in many households of the most ordinary laws of health. If they burdened the ratepayers still further with providing these free meals, which were in many cases not wanted, they would raise an obstacle of the first importance to any effective dealing with the larger question of the sanitation of the nation, which he desired very much to see undertaken. He did not wish to deal with a very small part of a much larger question. He wished to call attention to one other point. A great portion of these children were provided for in homes, orphanages, and other institutions, in cases where they found parents unwilling or unable to do their duty. Would it do much good to give a child one meal daily and so enable the parent to retain it at home and employ that child in odd jobs and throw the burden of maintenance upon other people more than he was enabled to do at present ? In many cases it was a happier and better lot that children of this class should go into the loving care of those who would attend to them in these institutions where they could stop the evils of malnutrition—where, instead of giving them the one meal a day they could supply the other essentials of health, and give them proper physical training, which was quite as important as the supply of meals. By means of the provisions of this Bill the remedy of the orphanage would be discouraged, and they would enable the thriftless parent, instead of doing that which was best for his child, to keep the child in degrading surroundings and employ his labour during certain hours of the day. He did not say that this was a characteristic of the working classes, but he did say that it did sometimes happen. Those were the real slanderers of the poorer classes, who said that the number of parents who would not meet their responsibilities was so large that the evil could only be remedied in the way proposed by this Bill. If a parent could not pay, let him do what he could at this moment—go to the Poor Law authorities and obtain the means of paying. [An HON. MEMBER: "Pauperising."] How could it be more pauperising if the money was taken from one local body rather than another ? If it was pauperising to take money from the ratepayers through the agency of the Poor Law, how could it be anything else than pauperising to take it through the agency of any other public authority ? He wished to express his earnest hope that the Committee would consider seriously before they made this enormous change in our social and educational system.

MR. HAROLD COX hoped that hon. Members opposite would recognise in him, as he recognised in them, a sincere desire to improve the position of all the working people of the country. Social reform was a phrase often heard, and every Member of the House was in favour of social reform. But naturally they had to be very careful in laying down what kind of social reform it was of which they were in favour. He was sorry to say there were many Members of the House whose creed in social matters was a combination of bad economics and sloppy sentimentalism. They failed to think out where they were going. They saw a particular evil, and were anxious to remedy it, yet frequently did not look sufficiently far ahead to see that the remedy they proposed, instead of mitigating the evil, would accentuate it. The Unemployed Workmen's Act was perhaps one of the most pernicious Acts ever passed by this House. The whole point was really with regard to pauperism. A man was a pauper when he received public relief, from whatever source it came. Under the old Poor Law no one could receive relief without having to undergo some sacrifice in return. The evil of the system now proposed was that relief would be given without exacting any sacrifice in return. Of course if they gave a man something for nothing, there were plenty always ready to take it. If relief was given unconditionally it would inevitably breed the demand for more relief. The circumstances that led to this demand were said to be the difficulty the parent found to provide food for his family. The reasons for that were two. The man was either insufficiently paid or he spent his wages badly. If the man was insufficiently paid they should direct their efforts against the employer and compel that employer to pay a sufficient wage. If they adopted the proposals of this Bill it was tantamount to saying to the employers "Go on paying sweating wages, we will make it up to your workmen." If they subsidised the man who got insufficient wages they penalised the good industries of the country to subsidise the bad. That was not the way to increase the social prosperity of the nation. The obligation to send children to school was an obligation created by Parliament, the obligation to feed one's children was an obligation recognised by humanity ever since humanity had been. If a man had a sufficient wage and did not feed his children it could only be because his money was misspent. The fact was that hon. Members opposite had not faced in this matter—the question of drink. What they failed to recognise was that if they made it easy for men to shuffle out of their responsibilities they made it easy for them to drink away their wages. That was a question that Members opposite ought to face. It was a question often more important from the point of view of socialism than of individualism, because what would happen would be that if such a man were allowed to put his children on to the rates the country would be subsidising the inferior man at the expense of the superior. That was not the way in which to build up a strong State. If everybody was taught to lean on somebody else, on whom would the State lean? The only way to make a State strong was to make the members of it strong, and any measure which would allow people to shuffle out of their responsibilities would be disastrous to the State and to the individual.

MR. LOUGH rose in his place, and claimed to move, "That the Question be be now put;" but the Chairman withheld his assent, and declined then to put that Question.

MR. HUNT asked whether the halfpenny rate was going to be used for the purpose of feeding all the children or only some of them. Unless hon. Members knew that, they did not know how to vote on this question. If it were made perfectly plain that only necessitous children were to be provided for out of the halfpenny rate he would be in favour of the Amendment. He could not quite see where the socialism came in, because, after all, the children were compelled by law to go to school. When all was said there was very little difference between feeding little children who were unable to feed themselves and feeding an able-bodied man who had to go to the workhouse. Apparently there was no doubt that there were a number of children who went to school insufficiently fed, and some part of of the rates might be used for feeding those children, if it were made quite plain in the Bill that their parents would be made to pay if they were able to do so. It had also to be remembered that a hungry child was a cold child, and that the children who went to school insufficiently fed were often insufficiently clad as well. Of course it was only human nature when this feeding was done by charity that people not well off should say, "There is food going in the schools, my children may just as well have some of it as other people's." But if under this Bill they knew that if they were able they would be obliged to pay, the effect would be to stop a great deal of that sort of thing, and do good. He hoped the Government would make it clear that the halfpenny rate was to feed only the necessitous children. If they once began to feed all the children in all the schools they would not only go to a frightful expense, but would also go far to pauperise the children of the country.

SIR E. BOYLE (Taunton) thought the Committee ought to face this matter boldly. The hon. Gentleman had spoken of a halfpenny rate, but it behoved the Committee to consider whether a halfpenny was any good at all. In such a district as West Ham, was it to be supposed that a halfpenny rate would do any good? The Committee ought to look this thing boldly in the face.

CAPTAIN CRAIG, who spoke amidst constant interruption, was understood to say he was one of the three in the Committee upstairs who voted against this particular suggestion. It was a simple matter to oppose a popular vote, but it was very difficult to explain one's reasons for so doing. As one who desired to see that the children benefited by this measure were necessitous, he strongly dissassociated himself from the views of the hon. Member opposite. The question he touched upon was the receipt of relief which came from the general community. All the evidence given before the Select Committee and all the Amendments which came from both sides of the House tended to show that the flow of natural and generous subscriptions towards the feeding of the children, which had, in the same way as any other great national movement, risen according to the necessities of the time and the case, would undoubtedly cease. He asked the

Committee whether they thought if the hospitals were placed upon the rates they would get the same generous contributions towards them as now. Would the National Lifeboat Institution get the same generous assistance? People who at the present time rose to the occasion in the time of special necessity would not be inclined to do so if the institutions were put upon the rates. A great point had been made about the rate being only a halfpenny. If the local education authority was not to be allowed to incur any expense for food supplied by such means it would be possible to keep it at a halfpenny, but while by one clause it was suggested that there should be a halfpenny rate, another suggested that whatever happened to be necessary for feeding the children should be supplied. For the first time during the progress of the Bill the Committee were discussing a charge to be put on the rates, which was absolutely unnecessary at the present time, but which would become absolutely essential.

THE CHAIRMAN: The hon. Member appears to be discussing Clause 3, and that I cannot permit. He must confine himself to the Amendment.

CAPTAIN CRAIG said the hon. Member for North Camberwell had referred to the machinery of the Bill, and had said that hitherto there had been no machinery to recover from parents, but he did not think many people cared much about that. The machinery in the first clause if not perfect had at all events the unanimous approval of all Parties. But when the hon. Member in charge of the Bill mentioned that this fell upon the rates of the country, and that only the hardest cases rose from time to time, he still maintained that the hon. Member had not been able to justify in any sense his interference with the flow of charity by the imposition of a rate of a halfpenny here and a halfpenny there at the whim of those who happened to be members of the local body at a particular time. The machinery of this clause was very complete, and in that machinery the words of his hon. friend were included. If those words were omitted the authorities would have the opportunity of taking full advantage of all the charity which came into their hands. Having provided the machinery, the question arose as to whether that was not all that it was necessary for the State to provide. If any need arose they would then be able to say, "We are now prepared with everything if only generous contributors would come forward and supply the actual necessities for these poor children." That was a matter that would appeal to every Member of this House. The whole thing resolved itself into this, that they were going to put this burden upon the rates and make people paupers against their will. The last thing that men, women, or children wanted was to be put upon the rates. They disliked outdoor relief in any shape or form so long as they could scrape along in their own homes. He could not see why hon. Members who were in close touch with the labouring community should take it for granted that the people of this country were desirous of having the Bill thrust upon them. He had gone round several of the London schools to find out the real truth as to the necessity of State aid in this matter, and he was convinced from those inquiries that if such aid was given, voluntary assistance would cease altogether. If the rates were invoked, instead of leaving the matter to the generosity of private benevolence it would be a bad business indeed.

*MR. CLAUDE HAY said he was a supporter of the Bill, and ever since the subject was first raised he had taken the keenest interest in seeing legislation brought forward. Under this Amendment it seemed to him there were two points which had been scarcely considered by the Committee. The first was that as local authorities now had the care of the children for educational purposes, it was their duty to see that under-feeding ceased. The Amendment would cut the ground from the local education authority in their desire to secure that which was a necessary corollary of its obligations for the care of the children educationally. In the second place, they had not sufficiently considered the conditions under which the great majority of the working classes lived to-day. The great bulk of them now composed the urban population, and what was easy for them as parents living in the country, with all the advantages which cottage life gave, had become difficult, if not impossible, in the urban areas, living as they did in dwellings originally built for one family and now perhaps occupied by two, three, or even four families. How could parents bring up their children in a healthy manner, or see to their children's feeding when both parents were all day away at work? They must recognise that the parents of to-day had frequently not the means of carrying out their parental obligations. They had not the appliances, nor the accommodation, nor the time, and too often not the knowledge efficiently to do the best for the child's regular, wholesome and economical feeding. They must face the fact that by this Bill they would largely destroy the incentive to voluntary subscriptions. If they tried to deal with this subject by tinkering they would be lending themselves to humbug. By using the word "may" in this Bill they were showing themselves to be cowards. The Bill did not go far enough.

*THE CHAIRMAN: That has nothing to do with the question.

MR. CLAUDE HAY said this Amendment raised the whole pith of the question, and he hoped hon. Gentlemen in their votes would not be governed by narrow individualism, or by the question of whether voluntary subscription should or could deal with school feeding; but that they would realise that if the vast sums spent on education were to be effective it was their duty to see that the child was physically competent to receive the instruction provided. The condition of society made it imperative for the State to step in.

Question put.

The Committee divided:—Ayes, 130; Noes, 17. (Division List No. 473.)

AYES.

Acland, Francis Dyke
Alden, Percy
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barrie, H. T. (Londonderry, N.
Beaumont, HnW.C.B (Hexham
Bellairs, Carlyon
Benn, W.(T'w'r Hamlets, S.Geo.
Bethell, SirJ.H.(Essex, Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Clarke, C. Goddard
Clough, William
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Corbett, C.H.(Sussex, E.Grinst'd
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Delany, William
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Halpin, J.
Hardie, J. Keir (Merthyr Tydvil)
Hay, Hon. Claude George
Hayden, John Patrick
Higham, John Sharp
Hills, J. W.
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Kekewich, Sir George
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Macdonald, J.M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Meagher, Michael
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Murphy, John
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid.
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly, James (Roscommon, N
O'Shaughnessy, P. J.
Paulton, James Mellor
Pickersgill, Edward Hare
Powell, Sir Francis Sharp
Power, Patrick Joseph
Price, C. E. (Edinburgh, Centr'l
Raphael, Herbert H.
Redmond, William (Clare)
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Robertson, Sir G. Scott (Bradf'rd
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Seaverns, J. H.
Seddon, J.
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Walsh, Stephen

Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Wason, Eugene (Clackmannan
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Parrick (Meath, North)
Whitley, J. H. (Halifax)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES — Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,Rt.Hn.Sir Alex.F
Balcarres, Lord
Banbury, Sir Frederick George
Beckett, Hon. Gervase
Boyle, Sir Edward
Cavendish, Rt. Hn.Victor C.W:
Cecil, Evelyn (Aston Manor)
Cox, Harold
Craig,Captain James (Down, E.
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Morpeth, Viscount
Nicholson, CharlesN.(Doncast'r
Nield, Herbert
Talbot, Lord E. (Chichester)
Valentia, Viscount
Younger, George

TELLERS FOR THE NOES— Mr. Bridgeman and Mr. Mallet.

MR. LOUGH claimed "That the Question 'That the clause, as amended, stand part of the Bill' be now put."

Question put, "That the Question 'That the clause, as amended, stand part of the Bill' be now put.'"

The Committee divided:—Ayes, 126; Noes, 18. (Division List No. 474.)

AYES.

Acland, Francis Dyke
Alden, Percy
Baring,Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beaumont,Hn W.C.B(Hexham
Bellairs, Carlyon
Benn,W(T'w'r Hamlets, S.Geo.
Bethell,SirJ.H.(Essex, Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Campbell-Bannerman, Sir H.
Causton,Rt.Hn.RichardKnight
Clarke, C. Goddard
Clough, William
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Corbett,C H (Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Delany, William
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Farrell, James Patrick
Fenwick, Charles
Feren, T. R.
Ffrench, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Hardie,J.Keir (Merthyr Tydvil
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jones, Sir D.Brynmor(Swansea
Jowett, F. W.
Kekewich, Sir George
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Macdonald,J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh,Charles (Donegal,E.)
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Mallet, Charles E.
Manfield, Harry (Northants)
Meagher, Michael
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Murphy, John
Nicholson,CharlesN.(Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien,Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor,James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly,James (Roscommon,N
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price,C.E.(Edinburgh, Central)
Raphael, Herbert H.
Redmond, William, (Clare)
Richards, T.F.(Wolverhampt'n
Rickett, J. Compton
Robertson,SirG.Scott(Bradf'rd
Rowland, J.
Samuel,Herbert L. (Cleveland)
Seaverns, J. H.
Seddon, J.
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Walsh, Stephen
Ward, John (Stoke upon Trent
Ward,W.Dudley (Southampt'n
Wason, Eugene (Clackmannan)
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Patrick, (Meath, North)
Whitley, J. H. (Halifax)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES— Mr. Whiteley and Mr. J. A. Pease.

NOES.

Balcarres, Lord
Banbury, Sir Frederick George
Beckett, Hon. Gervase
Boyle, Sir Edward
Bridgeman, W. Clive
Cavendish, Rt. Hon. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cox, Harold
Craig, Captain James (Down, E.
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Hay, Hon. Claude George
Hills, J. W.
Morpeth, Viscount
Nield, Herbert
Powell, Sir Francis Sharp
Talbot, Lord E. (Chichester)
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly.

The Committee divided:—Ayes, 128; Noes, 17. (Division List No. 475.)

AYES.

Acland, Francis Dyke
Alden, Percy
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beaumont, Hn. W. C. B. (Hexh'm
Bellairs, Carlyon
Benn, W. (T'w'r H'ml'ts, S. Geo.
Bethell, Sir J. H. (Essex, R'mf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Clarke, C. Goddard
Clough, William
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E. Grinst'd
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Davies, Timothy (Fulham)
Delany, William
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Hardie, J. Keir (Merthyr Tydvil
Hay, Hon. Claude George
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jackson, R. S.
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Kekewich, Sir George
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Crae, George
M'Laren, H. D. (Satfford, W.)
Manfield, Harry (Northants)
Meagher, Michael
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Murphy, John
Napier, T. B.
Nicholson, Charles N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid.
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly, James (Roscommon, N
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Raphael, Herbert H.
Redmond, William (Clare)
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Robertson, Sir G. Scott (Bradf'rd
Rowlands, J.
Samuel, Herbert L. (Cleveland
Seaverns, J. H.
Seddon, J.
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Walsh, Stephen
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n
Wason, Eugene (Clackmannan)
Whitbread, Howard
White, J. D. (Dumbartonshire
White, Patrick (Meath, North)
Whitley, J. H. (Halifax)
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt. Hn. Sir Alex F
Balcarres, Lord
Banbury, Sir Frederick George.
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Boyle, Sir Edward
Bridgeman, W. Clive
Cavendish, Rt. Hn. Victor C. W.
Cox, Harold
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Hills, J. W.
Mallet, Charles E.
Talbot, Lord E. (Chichester)
Valentia, Viscount
Younger, George

TELLERS FOR THE NOES—Viscount Morpeth and Mr. Evelyn Cecil.

Clause 2:—

MR. HAROLD COX moved the insertion of the words "by way of prepayment" after "charged." He was convinced that it would be impossible to obtain payment after the consumption of the meal. The evidence on that point was conclusive, and he hoped the Government would accept the Amendment.

Amendment proposed—

"In page 1, line 21, after the word 'charged' to insert the words 'by way of prepayment.'"—(*Mr. Harold Cox.*)

Question proposed, "That those words be there inserted."

MR. LOUGH declined to go beyond the words of the clause. One object of the Bill was to enable local authorities to attend to destitute children immediately, but to wait for payment would defeat that object.

SIR FREDERICK BANBURY said the only reason the hon. Gentleman had given for refusing to accept the Amendment was that the local authorities should be perfectly unfettered. The Amendment would have the effect of carrying out the desire of the hon. Member for North Camberwell and others who attached importance to compelling parents to pay as far as possible for the food supplied to their children. It was quite true that it might possibly entail a certain amount of suffering, but it should be remembered that the Education Act had been in operation for the last thirty years, and that no attempt had been made during that period to pass a Bill of this sort. Therefore, the suffering which this Amendment would cause would not be any greater than had been experienced in the last thirty years. He hoped that on reflection the hon. Gentleman would come to the conclusion that he had made a mistake in not accepting the Amendment. He had made several mistakes this evening, and one was in regard to his own Amendment.

THE CHAIRMAN said the hon. Member must address himself to the Amendment before the Committee.

SIR FREDERICK BANBURY said he apologised. If the Amendment was not accepted, it was perfectly certain that the parents would not pay.

LORD BALCARRES thought that a strong case had been made out for the Amendment. The insertion of the words proposed would not prevent the local authority from meeting the cases of the most necessitous children, while the parents could be proceeded against in the Court afterwards. There was no cruelty in that. Was it cruel to say that if a child had a meal the parents should be called upon to pay for it? He wished to point out that the Bill as it stood, and still more the Amendments put down by the Government to it, departed in many important particulars from the recommendations of their own Committee. In Paragraph 17 of the Report of the Committee a strong opinion was expressed that payment for meals should be made wherever possible.

CAPTAIN CRAIG did not think that the hon. Member for Preston had really made out a case for his Amendment. He thought that hon. Members would agree that if meals were to be provided at all no restriction should be put on the authority which was to provide them; and therefore he hoped that the hon. Member would not insist on his Amendment.

MR. HAROLD COX said he was sorry that he could not accept the suggestion of the hon. and gallant Gentleman. He considered his Amendment was of extreme importance, because there was overwhelming evidence that the money could not be recovered from the parents after the meals had been supplied. In nine cases out of ten the food supplied to the children was not what they wanted; and yet the parents would be forced to pay for it. A child might appear to the teacher to want food even after it had eaten the meal provided for it by its parents; and if the parents wished to make use of these State restaurants they could send the money with the child.

*MR. BOTTOMLEY asked if it would meet the views of the hon. Member if each local education authority were furnished with a stomach pump?

Amendment negatived.

MR. HUNT moved an Amendment providing that the cost of the meals should not exceed one penny. There were many poor people who could not pay more than a penny for a meal for each of their children, and the effect of his Amendment would be to prevent the local authorities spending too much money on the provision of meals. If the children were to have any real benefit from the system, the meals must be made as cheap as possible.

Amendment proposed—

"In page 1, line 23, after the word 'amount' to insert the words 'not exceeding one penny per meal."—(*Mr. Hunt.*)

Question put, "That those words be there inserted."

MR. LOUGH said he was sure the Committee would recognise the spirit in which the hon. Member had moved this Amendment, and the very kind feelings he had expressed towards the children. It was impossible however for the Government to accept the Amendment, because it would be an interference with the fixed principle that they should not interfere with the local education authority on these small points. The cost might exceed a penny, and it was impossible to lay down any rule. He therefore hoped the hon. Gentleman would not press his Amendment.

Amendment negatived.

*MR. HAROLD COX moved an Amendment the effect of which would be to enact that the charge for meals provided should be sufficient to cover the full cost of providing, cooking, and serving that meal, including the interest and depreciation on the capital expended on land, buildings, furniture, and apparatus. It seemed to him to be an error to start a State restaurant unless it was run upon profitable lines. He had put down this Amendment to cover every item of expense, and unless they did that they would incur loss. In dealing with necessitous children they would have to incur that loss. They had had that out before, but they were now dealing with parents who could afford to pay for these meals, but did not. If they sent their children to private schools they would have to pay the full cost of providing, cooking, and serving meals, including the interest and depreciation on the capital expended on the undertaking, and there was no reason when they were setting up these State restaurants why they should run them on business lines.

Amendment proposed—

"In page 1, line 23, to leave out from the word 'determined,' to the end of line, and insert the words 'sufficient to cover the full cost of providing, cooking, and serving that meal, including the interest and depreciation on the capital expended on land, buildings, furniture, and apparatus.'"—(*Mr. Harold Cox.*)

Question proposed, "That the word 'by' stand part of the clause."

MR. LOUGH said the hon. Member's suggestion was framed upon business lines, but he had forgotten to allow for any profit, and had only given cost price. If the hon. Gentleman would look into the matter he would see that it was impossible to estimate the price of any meal. That was one objection to the Amendment. Another was supposing there was a voluntary fund in existence for the purpose of supplying these meals, there was no need to charge the full price of the meal, because it would be charged to a fund which would balance the yearly revenue and expenditure. If one of these canteens received an endowment, the children had a right to the benefit of that endowment, and the words of the Bill were to the effect that the price should be that which was fixed by the local education authority, who no doubt would have regard to facts of that sort. Having regard to all the circumstances he hoped the hon. Member would be satisfied with the arrangement contained in the Bill and not press the Amendment.

MR. KEIR HARDIE joined in the appeal that the Amendment should not be pressed. Secondary and higher grade schools were provided with accommodation of this sort at the public expense, and why should they discriminate in regard to the accommodation to be provided for very poor children? If the Amendment was carried they would have to ask the people who gave voluntary subscriptions not only to provide the whole price of the meal but to pay for the cost of the room. Surely it was out of the question to press people to provide food for the children and then not to find a place in which the children could eat it. The least they could expect was that the authority should provide a room in which the refreshments were to be supplied.

LORD R. CECIL thought that this was an Amendment which they had a right to ask the Government to accept. When they raised the question of necessitous children they were referred to this Amendment as that upon which they could discuss the question of an unnecessary charge being thrown upon the rates. He thought they might get rid of this fiction and imposture of the voluntary fund, because everybody knew that after this Bill had come into operation there would be no voluntary fund as nobody would subscribe to funds in relief of rates. Whoever heard of anybody subscribing to funds to relieve rates?

MR. CROOKS (Woolwich): They do so in the case of the Church schools.

LORD R. CECIL was glad of that interruption because it showed the kind of ignorance with which they had to contend. The only thing that had kept the Church schools going was that the trustees and owners had still to provide sufficient expenditure in connection with the schools or they would not be allowed to receive a contribution from the rates. The case of Church schools had nothing to do with the matter, and he did not think that there was any case in which subsections had been included in a Bill for the purpose of carrying on an undertaking which would entirely relieve rates. He had no doubt himself that the effect of the Bill would be to destroy the voluntary funds. As the clause was drafted at present it was left absolutely and entirely without any kind of fetter on the local authority in deciding the price at which meals should be charged. They felt that there were some local education authorities who would not be above doing so, and who would perhaps think it their duty to provide these meals generally at a very much lower rate than cost price. They might conceive that that was the object for which they existed, and there was a great temptation to a local authority to do so if they could by their action obtain a certain amount of cheap popularity. Unless some kind of limit was put upon the local authority there was a serious danger in the clause. The hon. Member seemed to think that the limit suggested by the hon. Member for Preston was not the right one and that there was some other method of arriving at the cost which would include such questions as private subscriptions from voluntary sources. If the hon. Gentleman was prepared with alternative words which would carry out his idea, they would be prepared to consider them. But no alternative words were before the Committee, and the question was whether they were prepared to leave absolutely unfettered the discretion of the local education authority as to whether the parents should pay less than the actual cost of the maintenance of the child. If this was not to be a pauperising scheme, and they were not to provide a fund which would enable parents to evade feeding their children—if they did not provide that the parents should pay the actual cost of the meal, they were making a very extravagant proposition. He hoped that the Government would accept the Amendment.

MR. J. WARD (Stoke-on-Trent) asked whether the Amendment was in order. They had already decided that these authorities might associate with themselves in committee certain other people for the purpose of doing certain things, and that they might arrange apparatus convenient for executing such services. Was it now possible for the Committee to state that they could do nothing of the sort, that the parents themselves must supply the whole cost, and that the committee could not under any circumstances by aiding the education authority have anything to do with the matter?

*THE CHAIRMAN said that, of course, under Clause 1 a committee might do what the hon. Gentleman suggested, but they had not to deal there with the question of the charge, and he thought this was a perfectly legitimate restriction or stipulation to make as regarded that charge.

MR. J. WARD, on a point of order, asked whether one could be said to be "aiding in" if one was going to charge for every fraction of the cost of that aid.

*THE CHAIRMAN: It is not clear to my mind that there must be a charge in every case. There may be parents who cannot pay as well as parents who can. Also the words "aid by furnishing" do not necessarily exclude a charge.

DR. MACNAMARA thought that the words of the Bill might be looked into a little more closely. They provided that some charge should be made by the local authority. All the parents might be charged for was the mere victuals, and he thought there was a reasonable fear introduced that even under Clause 1 the local authority might charge a sum which did not cover the whole cost. On the other hand, the Amendment went further than was reasonable. It would add to the cost a certain portion of the capital charge. That would be a very large order, because these buildings were already in existence, and there was now no charge for them. Therefore, he did not think that they could say in the future when the parents paid the whole charge that they should pay something more for the cost of the buildings. Most Members dined in this House night after night and did not pay anything towards capital charges, there was an appropriation of £2,000 a year to the Kitchen Committee from public funds, and he for one did not feel pauperised in consequence. He suggested that the Amendment should read as follows:—"Sufficient to cover the full cost of providing the meal." That would give an assurance that the purpose of Clause 1 was fully carried out.

*MR. BRIDGEMAN said he quite agreed with what had been said. He would certainly support this Amendment if some assurance was not given by the Government that they would take steps to recover the full amount of the meal. Earlier in the debate a discussion took place on limiting the provision of meals to necessitous and underfed children. They were then told by the hon. Member in charge of the Bill that these were two distinct points, the provision of meals to necessitous children, and the provision of meals for the children of parents able to pay. He had voted for the Government on that Amendment on the distinct assurance that the Committee were to be safeguarded on this point. The whole point of the argument of the hon. Member for North Camberwell was that the voluntary contributions had been so badly organised that they had done much harm in consequence. Now the hon. Gentleman in charge of the Bill said he was going to allow this monstrous thing to continue and was going to provide meals for the children whose parents were able to pay, and who were able to drive to school in a carriage. He hoped the hon. Member would adhere to the distinct pledge given earlier in the evening on the strength of which he (Mr. Bridgeman) supported the Government against his own friends.

*MR. CHIOZZA MONEY (Paddington, N.) said he rose to offer the most uncompromising opposition to the Amendment of the hon. Member for Preston and also to the suggested compromise of the hon. Member for North Camberwell. The provisions of this Bill represented not one-tenth of what was needed to meet the case, and it was the very minimum the Committee would consent to pass. If it was not too late to say a serious word on a Bill which was treated with so much levity by both sides of the House, he would say that the hon. Member for Preston did not recognise what represented the cost and profit of such a measure. Let the hon. Member walk over Westminster Bridge and go within a bow-shot of this House, and he would find the cost in the deteriorated people of a degraded race; in people from whom hon. Members would draw aside with contempt as they passed home from this House. They would find the profit, if profit could be found in such a measure, in a people out of whom anything could be made; a people of great genius who could be raised to a very high standard if attention was given to the feeding of the children; if a few pounds were given to the feeding of the race in order that it might be brought up to its mean standard, which was a high one. As Professor Cunningham had pointed out, there was a mean inherited standard of the race which could be restored if one cared to do it.

THE CHAIRMAN: The hon. Member is getting rather wide of the Amendment.

*MR. CHIOZZA MONEY said he might be getting wide, and it might be also that what he had said was worthy of the serious consideration of the House.

THE CHAIRMAN: The hon. Member must confine his observations to the Amendment.

*MR. CHIOZZA MONEY said the least the public authority could do was to provide the buildings and the land and the machinery for the working of this Act, whether they relied on voluntary or public funds. But whatever they did, they must not trench upon the smallest minimum which could be accepted in a measure of the deepest importance to the country.

MR. LOUGH said there were almost insuperable administrative difficulties in the way of accepting either the Amendment or the suggested modification. Either would involve a calculation as to cost which could not possibily be made. There might be very little feeding in summer and a great deal of feeding in winter, and in particular schools these meals would cost a great deal more if the price was put upon each meal. The price would be fixed taking the whole thing into consideration. It was a matter, he thought, that should be left in the hands of the local authority. He could not accept the Amendment in any form.

LORD BALCARRES acknowledged that a material difficulty had been pointed out. If the children had over-paid for a meal they had received, how was that to be put right? He considered he was right in supporting the Government in this, if the Amendment was unworkable. But would the Government tell the Committee frankly what they meant by cost. The cost as mentioned in the text of the Bill had been proved as far as possible to be not merely the cost of the food which the authority was entitled to recover, but the cost of land, buildings, furniture, apparatus, and such officers and servants as might be necessary for the preparation and service of such meals. If the hon. Gentleman would give an assurance that between this and the Report stage he would consider how far he could find suitable words to express his desire that the cost should be the total cost, as near as could be estimated, he (Lord Balcarres) would adopt the view of the hon. Gentleman. But the hon. Gentleman had hitherto avoided telling the Committee whether the cost was the actual cost of the victuals or the total cost of the meal. If the hon. Gentleman would explain what was the view of the Government he would simplify proceedings.

MR. LOUGH said he had given the assurance before, and he desired to be perfectly candid in the matter. In the Bill as drawn, there was no necessity to provide the money part of it, and no restriction would be placed on the local authority as to what they might charge.

MR. SEDDON (Lancashire, Newton) expressed some surprise at the variety of the arguments coming from below the gangway, but before dealing with those arguments he would like to draw the attention of the hon. Member for Preston to an Amendment he had on the Paper. The sole desire of the hon. Member for Preston was at first to see that every person paid for the food of the poor children. Now, instead of leaving only the burden of the payment of the food, he wished to throw an additional burden on the schools of people who were unable to bear it. The hon. Member did not know these elementary schools. His own children, who attended one, were cut to the heart at the condition of some of those children who attended with them, and whom the teachers, out of their own slender means, had fed. In many cases the parents of such children could not bear the burden which this Amendment would place upon them. The wages paid to many industrial workers absolutely forbade them to pay anything above the bare cost of the food provided for their children. If they were to provide meals for all the children, the least they could do was to say that those who were least able to bear the burden should be relieved from it.

*VISCOUNT MORPETH said the hon. Member was labouring under some misapprehension. The Committee were not now dealing with necessitous children but with the case of children who were to pay for their meals, so the case of the necessitous children did not come in. He was prepared to see necessitous children fed under the Bill, and to see the canteen system provided for those children who could afford to pay, but he distrusted the *bona fides* of those who were endeavouring to exploit sympathy for the necessitous children in order to force on an unwilling Parliament and an unwilling country a universal system of State feeding of children which was not wanted. He was perfectly convinced that the country did not desire a compulsory system. It was merely a minority who was forcing its opinions on the majority. He remembered this question being raised on the London School Board twelve years ago, when the hon. Member for North Camberwell consistently supported it, although at that time the Liberal Party was more opposed to it than anybody else. It was because the scheme of the hon. Member for North Camberwell was a reasonable scheme—that the child who could not pay should be helped and the child who could pay should pay—that he should support it.

SIR W. J. COLLINS said if the Committee adopted this Amendment it would not only go against the Report of the Select Committee, but against the Reports of the Royal Commission which inquired into the subject in Scotland and of the Inter-Departmental Committee on Physical Deterioration.

*SIR HENRY CRAIK said he was sorry on this occasion to find himself at variance with some of his colleagues on those benches. He was bound to agree with the unanimous Report of the Royal Commission in this matter. It was quite impossible clearly to distinguish the expenses that might be incurred in the provision of these meals. He, for one, should insist on the payment of the food from the parents. But it was a reasonable provision that there should be a room provided where children coming from a distance would be able to take their meals. It was part of the function of the school. Although he was willing that the parents should be pressed for the payment of the actual cost of the food, he was not prepared to say that every expense connected with its preparation should be included. He was unable, therefore, to support the Amendment.

MR. SEAVERNS (Lambeth, Brixton) agreed with the Amendment. He had been an ardent supporter of the principles of the Bill as he understood them; but the Amendment and the clause to which it applied, dealt with meals to be provided as a matter of convenience and not with the meals for necessitous children. He understood, further, that it was a well recognised principle of the Bill, accepted by the promoters, that parents should not be relieved of their responsibility, except when they were in necessitous circumstances, and it was a simple elementary business proposition to appraise the cost of the meals supplied. Under the clause as it stood, a local authority would be able to charge merely a fraction of the cost, and it would prejudice very considerably the principle of the Bill.

MR. HAROLD COX said the only objection urged by the Government seemed to be on points of detail. The Secretary to the Board accepted the principle.

MR. LOUGH said he was entirely and absolutely against it.

MR. HAROLD COX regretted that the hon. Gentleman had misled the Committee earlier when discussing the important point whether the Bill should be limited to necessitous children. He then pointed to his (Mr. Cox's) Amendment and said it would very greatly remedy the difficulty, apparently indicating the possibility of accepting its principle.

MR. LOUGH said the Amendment of the hon. Gentleman was not in his mind at the time.

MR. HAROLD COX said possibly the Parliamentary Secretary was referring to some other Amendment, which, however, covered the same principle. The hon. Gentleman had distinctly accepted the principle that in the case of non-necessitous children, the parents should pay the full cost. He gathered that his only objection was that it was difficult to ascertain the full cost. He, however, should have thought it was only a business proposition. He was quite prepared to accept the Amendment of his hon. friend behind him if that were more likely to satisfy the Parliamentary Secretary. He hoped, at any rate, that as the hon. Gentleman was to a large extent in sympathy with the view that non-necessitous parents should pay the full cost of the meals, he would undertake on Report to bring up some words to meet the case.

Mr. LOUGH rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes, 155; Noes, 25. (Division List No. 476).

AYES.

Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beaumont, Hn. W. C. B. (Hexh'm
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo.
Bethell, Sir J. H. (Essex, Romf'd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bottomley, John
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, Rt. Hn. Sir J. T. (Ches.
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H. (Sussex, E. Gr'st'd
Cotton, Sir H. J. S.
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Davies, Timothy (Fulham)
Delany, William
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness)
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fuller, John Michael F.
Gladstone, Rt. Hn. Herbert John
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Henderson, J. M. (Aberdeen, W.
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Jackson, R. S.
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Kekewich, Sir George
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murphy, John
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N. (Donc'r)
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Donnell, C. J. (Walworth)
O'Grady, J.
O'Kelly, James (Roscom'n, N.)
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Rees, J. D.
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Br'df'd
Rogers, F. E. Newman
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Schwann, Sir C. E. (Manchester)
Seaverns, J. H.
Seddon, J.
Shaw, Rt. Hn. T. (Hawick B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Ward, John (Stoke-upon-Trent
Ward, W. Dudley (S'th'mpton)
Wason, Eugene (Clackmannan
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Patrick (Meath, North)
Wiles, Thomas
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Balcarres, Lord
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cavendish, Rt. Hn. Victor C. W.
Cecil Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.
Cox, Harold
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Hunt, Rowland
Keswick, William
Mallet, Charles E.
Morpeth, Viscount

Nield, Herbert
Pease, Herbert Pike (Darlingt'n
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Roberts, S. (Sheffield, Ecclesall)
Smith, F. E. (Liverpool, Walton)
Talbot, Lord E. (Chichester)
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly, "That the word 'by' stand part of the clause."

The Committee divided:—Ayes, 158; Noes, 25. (Division List No. 477.)

AYES.

Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beaumont, Hn. W. C. B. (Hexh'm
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo
Bethell, Alfred
Billson, Sir J. H. (Essex, R'mf'rd
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, Rt. Hn. Sir J. T. (Ches.
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H. (Sussex, E. Gr'st'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Craik, Sir Henry
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Davies, Timothy (Fulham)
Delany, William
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gladstone, Rt. Hn. Herbert John
Greenwood, G. (Peterborough)
Gulland, John, W.
Gurdon, Sir W. Brampton
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Henderson, J. M. (Aberdeen, W.
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Jackson, R. S.
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Kekewich, Sir George
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murphy, John
Newnes, F. (Notts., Bassetlaw)
Nicholson, Charles N. (Donc'r)
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kidlare, N.)
O'Donnel, C. J. (Walworth)
O'Grady, J.
O'Kelly, James (Roscommon, N
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Br'df'd
Rogers, F. E. Newman
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, Sir C. E. (Manchester)
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hn. T. (Hawick, B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampt'n
Wason, Eugene (Clackmannan)
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Wiles, Thomas
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt. Hn. Sir Alex F.
Balcarres, Lord
Barrie, H. T. (Londonderry, N.
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cave, George
Cavendish, Rt. Hn. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Craig, Capt. James (Down, E.)
Douglas, Rt. Hon. A. Akers-

Hunt, Rowland
Keswick, William
Mallet, Charles E.
Morpeth, Viscount
Nield, Herbert
Pease, Herbert Pike (Darlingt'n
Rawlinson, John Frederick Peel
Roberts, S. (Sheffield, Ecclesall)
Seaverns, J. H.
Smith, F.E. (Liverpool, Walton
Talbot, Lord E. (Chichester)
Valentia, Viscount
Younger, George

TELLERS FOR THE NOES—Mr. Harold Cox and Sir Frederick Banbury.

MR. BOTTOMLEY moved to leave out lines 24 and 25 of Clause 2. He said the object of his Amendment was to secure that the local authority should not be put to the trouble of making independent investigations as to the ability of parents to pay, but that they should use the facilities offered for this purpose by the machinery of the Boards of Guardians. In such cases the order of the Guardians should be deemed sufficient authority to supply the meals. He begged to move.

Amendment proposed—

"In page 1, line 23, to leave out from the word 'authority to the end of the clause, and insert the words 'unless such parent shall be furnished with an order from the guardians of the poor law union in which he resides, authorising the provision of such meals at the cost of the guardians.'"—(*Mr. Bottomley.*)

Question proposed, . "That the word 'and' stand part of the clause."

MR. LOUGH said the Government could not accept this Amendment, which he felt sure would not be received with favour by the Committee.

MR. F. E. SMITH called the attention of the Parliamentary Secretary to the difficulty which would arise if the words after "local education authority" in line 23 were retained, because they would introduce a very grave difficulty in the operation of the Bill. The words he referred to were "in the event of such payment not being made by the parent, the authority, unless they are satisfied that the parent is unable by reason of circumstances other than his own default to pay the amount, shall require the payment of that amount from the board of guardians." The meal had to be paid for by somebody, but if the authority were satisfied that the non-payment was not through a default of the parent they would not be able to recover from the guardians. In that case he wished to know who would pay. Clause 3 provided that "where the local authority are satisfied that, owing to the necessitous character of the area, funds other than public funds are not available or are insufficient in amount to defray the cost of the food furnished in such meals they may apply to the Board of Education." Those words "owing to the necessitous character of the area" were a condition precedent to the application of the rates. On the whole machinery of this Bill, therefore, they were face to face with a contingency which had not been contemplated, and the position could only be dealt with by the clumsy method of a surcharge. Proposals of such a complicated and difficult nature ought not to be brought forward for discussion at half-past eleven on Friday night, and on that ground he moved to report progress.

Motion made, and question proposed. "That the Chairman do report progress, and ask leave to sit again."—(*Mr. F. E. Smith.*)

MR. LOUGH said he had never heard a Motion to report progress submitted on such an absurd ground. If there was no voluntary fund, the money would have to be provided under the powers given by Clause 3.

MR. JOHN O'CONNOR (Kildare, N.) said there was a family likeness between all the Amendments on the Paper. The Committee had unmistakably pronounced its opinion over and over again upon the doctrinaire principles which had been enunciated *ad nauseam* by hon. Members who were moving Amendments. He submitted that in these circumstances the time had arrived when the Chairman might intimate to the Government that they might with satisfaction to the Committee, and with all due regard for the progress of business, use the powers reposed in them for the conduct of the proceedings of the Committee.

*LORD BALCARRES submitted that it was not the province of any Member publicly to urge the Chairman to direct the Government to use the closure. He warmly protested against the gross breach of propriety on the part of the hon. Member. The Prime Minister was present, and if he thought that was a desirable course to take he would no doubt carry it into effect and move the closure. He protested against the hon. Member trying to dictate to the Chair.

LORD R. CECIL asked the Government whether they could not devise some other means of disposing of the Bill more in consonance with fair discussion than the attempt to proceed with it now. The merits of the Bill deserved full discussion. It was not the fault of hon. Members on his side that the Bill was being discussed at that hour. He was not saying that it was the fault of the Government, but the Bill was introduced early in summer. Were the resources of civilisation exhausted, and was there no other method of proceeding except by continuing the discussion at twelve o'clock after a twelve hours sitting?

MR. KEIR HARDIE said the resources of civilisation were not exhausted, and neither were the resources of those who desired to see this Bill become law. The Bill passed the Second Reading unanimously. It might, therefore, be assumed that the House were perfectly unanimous as to the existence of the evil with which the Bill professed to deal. The only question was what means should be taken to secure redress for that evil. The main question running through all the Amendments was whether public or private funds should be used for the relief of hungry children. If it was now twenty minutes to twelve, it was because of the weary reiteration with which hon. Members had said things scores of times without adducing a single new point. Those who professed to be defenders of the Empire should support this Bill, which was designed to make it possible for children to grow up more worthy of the Empire than had been the case in the past.

MR. WILLIAM REDMOND (Clare, E.) said there were many Members in all parts of the House who were ready to sit up until any hour in order that this Bill should become law. He protested against the wasting of the time of the Committee in discussing Motions for reporting progress. Hon. Gentlemen spoke valiantly earlier in the evening about sitting up all night, and at half-past eleven they wanted to report progress. In the Division Lobby on some of the Amendments they could only muster seventeen. He had had some experience in days gone by of minorities struggling to make their position felt, but he would have been ashamed to be one of seventeen. He hoped the Government would resist the Motion.

SIR H. CAMPBELL-BANNERMAN said they had been engaged on this Bill since one o'clock until now—that was for eleven hours. An ordinary sitting of the House lasted seven hours, and they were asked to report progress on the Committee stage of a Bill which had passed without a division its Second Reading, and which had been thoroughly threshed out after a long investigation by the Select Committee upstairs. He could not imagine anything more unreasonable than that they should allocate more time on the Bill at this particular stage of the session. As his hon. friend had pointed out, the numbers supporting the Amendments which had been moved varied from only fifteen to twenty-five, and in the whole of his Parliamentary experience he had never known of a small fraction of the House—indeed a small fraction of a Party—asking at the end of such prolonged debate that progress should be reported. What object had they in adopting the tactics hon. Gentlemen had pursued? There was a similarity beyond measure in the Amendments moved, and there must be some reason behind these manœuvres. He himself did not know what it could be. The main principles of the Bill had been threshed out again and again, and approved of by the House; and there had been complete discussion of the Bill in Committee upstairs. If Parliamentary procedure meant anything at all this Bill must be carried through that night at all costs, even against the opposition of a small minority of a small Party in the House.

MR. VICTOR CAVENDISH said he was not opposed to the principle of the Bill, but he thought that the Amendment of the hon. Gentleman which would alter the machinery of the Bill should be fully discussed. He hoped that some amicable arrangement might be come to; and it should be remembered that however small the minority might be, minorities had their right. [AN HON. MEMBER on the MINISTERIAL Benches: What about the rights of the majority?]

SIR FREDERICK BANBURY said that if the Prime Minister had not sprung the resolution on the House to take this Bill after five o'clock, there would have been a very much larger number of Members of the Opposition present, and he therefore asked that the right hon. the Prime Minister should re-consider his decision and allow progress to be reported.

Question put.

The Committee divided:—Ayes 23; Noes, 152. (Division List No. 478).

AYES.

Balcarres, Lord
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cave, George
Cavendish, Rt.Hn.Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Hunt, Rowland
Keswick, William
Morpeth, Viscount
Nield, Herbert
Pease, HerbertPike(Darlington
Rawlinson, JohnFrederickPeel
Roberts, S.(Sheffield,Ecclesall)
Smith,F.E.(Liverpool, Walton)
Talbot, Lord E. (Chichester)
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch)
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. G.
Beale, W. P.
Beaumont, Hn.W.C.B.(Hexhm
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Bethell, SirJ.H.(Essex,Romf'rd
Billson, Alfred
Boland, John
Bottomley, Horatio
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, Rt.Hn.SirJ.T.(Chesh.
Buchanan, Thomas Ryburn
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Channing, Sir Francis Allston
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C.H.(Sussex,EGrinst'd
Cornwall, Sir Edwin A.
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Davies, Timothy (Fulham)
Delany, William
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh.)
Edwards, Frank (Radnor)
Elibank, Master of
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gladstone, Rt.Hn.HerbertJohn
Greenwood, G. (Peterborough)
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hayden, John Patrick
Henderson,J.M.(Aberdeen, W.)
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Jones, SirD.Brynmor(Swansea)
Jowett, F. W.
Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lyell, Charles Henry
Macdonald, J.M.(Falkirk,B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Chas. (Donegal, E.)
M‘Crae, George
M‘Laren, H. D. (Stafford, W.)
Mallet, Charles F.
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murphy, John
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Grady, J.
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Roberts, G. H. (Norwich)
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Schwann, Sir C.E. (Manchester)
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Sullivan, Donal
Thorne, William

Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Ward, John (Stoke uponTrent)
Ward,W.Dudley (Southampt'n
Wason, Eugene(Clackmannan)
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Wiles, Thomas
Wilson, W. T. (Westhoughton)

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Original Question again proposed.

MR. RAWLINSON said he could not understand the attitude of the Government. The Parliamentary Secretary to the Board of Education stated just before the Motion to report progress that he had got an answer ready to the point which had been raised by his hon. friend, but was allowing the Amendment to go by without giving that answer. He submitted that there was a great deal in the point which his hon. and learned friend had raised, and if the hon. Gentleman would take the advice of any of the hon. and learned Members on his own side of the House he would find that that was so.

Mr. WILLIAM REDMOND: He will be a great fool if he does.

Mr. RAWLINSON said that any hon. or learned Member on the Government side of the House would agree that the Bill was wrongly drafted at this particular point. The point was a perfectly simple one, namely, that, the local education authority, not being paid the price of a meal, unless they were satisfied that the parent by reason of his circumstances was unable to pay the amount, should call upon the Poor Law unions to recover that amount. In the case of a deserving parent what remedy had the local education authority under the Bill? There was no remedy against a person who by no fault of his own was unable to pay the cost of a meal given to his own child. It was understood, however, that somebody should pay, and the hon. Gentleman said that there might be voluntary funds to come down upon; but equally there might not be, and the local education authority were in that case to pay the cost of the meal and there were no means of recovering the money. He emphasised the point which his hon. friend the Member for the Walton Division of Liverpool had made, and he ventured to say that there were no sources from which any voluntary contributions would be forthcoming.

MR. LOUGH said that if the hon. and learned Gentleman had stated his point more briefly he would have given him a reply to his question at once. If there was no money in the canteen fund and no voluntary fund they would have to fall back upon Clause 3. The money came out of the funds of the canteen committee, and if the canteen committee had not got the money they must take means themselves to put themselves in funds.

MR. F. E. SMITH thought the Committee would recognise that this was a question of substance. He had hitherto supported the Government on this measure, and the only reason he moved to report progress was that he thought the hour was too late at which they ought to decide so important a question. He thought there was a *casus omissus* in the Bill, and he was satisfied that every reasonable man who looked at the Bill and the Amendment would see that the case raised had not been met. The reply of the Parliamentary Secretary of the Board of Education had been most inadequate. The hon. Gentlemen said that if there was no money in the canteen and no voluntary fund, they could fall back upon Clause 3; but they could not do so, as any lawyer would tell the hon. Gentleman.

MR. LOUGH said that he had already stated that the words in regard to the necessitous character of the area were unsatisfactory, and that later on he was going to insert other words on the point. He had stated this in the absence of the hon. Member.

MR. F. E. SMITH said he had been present the entire day. [MINISTERIAL cries of "Oh."] He really did not know why he should be exposed to the discourtesy of an interruption which meant a denial of his word. He repeated that with the exception of an hour and a half he had been in the House or within its precincts the whole day. If the hon. Gentleman had told him when he first raised the point which the hon.

Gentleman now appreciated that he intended to amend the words in reference to the necessitous character of the area, he should not have pursued the subject. Now that he was assured that the hon. Gentleman was going to deal with the real and practical difficulty he would not detain the Committee for another moment.

Amendment negatived.

MR. BOWLES moved to insert a proviso to the effect that a statement of all payments due from a parent in regard to meals furnished to his children should be rendered to him weekly. He thought the Amendment explained itself, but the question which it raised would have to be considered. Clause 2 set up extremely drastic and entirely novel machinery under which the parent of any child supplied with a meal under this Bill might be sued for an amount debited against him by the local education authority, and that being so, it seemed to be mere common justice that they should take every means in their power, either in the form of his Amendment or in some other way, to see that a parent was not without notice pursued into Court, and perhaps from Court to Court, in respect of a civil debt for a meal for which he didnot ask, which he did not want, which perhaps he did not know was given, and in regard to which no real moral responsibility rested upon him. They were bound to ensure that the person pursued knew that a debt was being incurred week by week, and therefore he suggested that a weekly account should be rendered. It seemed to him most undesirable to go on piling up the account from month to month and then suddenly bring a man before the magistrates. This was a very serious matter indeed, affecting a great number of poor men who might be faced with a large debt suddenly without their knowledge. The Committee must remember that these men could not appreciate the Acts passed by this House, they only knew that their children were being fed, but they might not know that they could be sued for the cost as a civil debt. Unless some provision such as he suggested was made a great injustice would be inflicted upon men who had done no wrong. He begged to move.

Amendment proposed—

"In page 1, line 24, after the word 'and' to insert the words 'a statement of all payments due from him in respect of such meals shall be rendered to each parent weekly.'"—(*Mr. Bowles*).

Question proposed, "That those words be inserted."

MR. LOUGH hoped the hon. Member, who took a great and friendly interest in this Bill, would not press this small point any further, but allow the Committee to come to Amendments of more importance. The suggestion made with regard to weekly accounts was not a bad one, but it would be great presumption on the part of Parliament even to suggest any such thing. It was a matter which should be left to the local authority, which would, he was sure, do nothing unfair.

SIR WILLIAM BULL (Hammersmith) said that everyone must be aware that the workman's budget was carefully made up, and it was absolutely necessary that he should know what he had to spend week by week. The landlord and the insurance companies both knew that if they missed calling on a Monday they did not get their money, and trouble resulted between the workman and his wife. It was necessary that the Legislature should lay down once and for all that this money should be paid every week. He hoped the Parliamentary Secretary would accept the Amendment which he had admitted was reasonable and just.

LORD BALCARRES commented upon the unsympathetic manner in which this perfectly reasonable Amendment had been met. He agreed that it might not be necessary to put it in the Bill, but it ought to have been met more sympathetically. He would not go into the question of obstruction, but in justice to himself and his friends, he must point out that a substantial amount of time had been occupied by hon. Gentlemen not on the Opposition benches, and that the debate had been exacerbated and prolonged by hon. Members below the gangway. Rules should be prepared by the Board of Education and circulated among local education authorities with regard to this admittedly reasonable proposal. He hoped it would not be lost sight of.

SIR FREDERICK BANBURY said if the hon. Member in charge of the Bill had given an intimation that something would be done such as had been suggested by the noble Lord there would have been no trouble, but all he had asked the House to do was to discuss some other Amendment. How was a man to know his child was receiving food unless something of this kind was done? Besides which, a working man might not desire his child to receive the food. A child might go to school, see other children receiving food and, childlike, receive it without the knowledge of his father or mother, and then a fortnight afterwards the parents would be presented with a bill which they had never expected and had not provided for. The hon. Member had not answered that point; he seemed to think that the education authority was such an authority that no direction should be laid down to guide it. He wondered that the hon. Member did not bring in a Bill of one clause to say that with regard to meals for children it should do as it liked. Then after a few hours discussion the closure might have been moved and they could have all gone home to bed.

Amendment negatived.

MR. LOUGH moved Amendments providing that in the event of payment not being made by the parent it should be the duty of the local authority to require payment from that parent, and any such amount might be recovered summarily as a civil debt. He said that his object was to get this prolonged and controversial question of the guardians out of the Bill. He thought the Bill would be more simple in the form in which this proposal would leave it.

Amendment proposed—

"In page 1, line 24, at the end, to insert 'it shall be the duty of.'"—(*Mr. Lough.*)

Question proposed, "That those words be there inserted."

Lord Balcarres.

LORD R. CECIL said he was not quite sure of the effect of the words the hon. Gentleman used when he said that the debt was to be recovered in a summary manner. He wanted to know the effect of those words. He was sorry to trouble the hon. Member, because they had nothing to complain of and much to be thankful for in the invariable courtesy he had shown. He wished he could say as much for others. He sympathised with the hon. Gentleman in this matter because this was a matter of pure administration, and he had not a single legal member of the Government to assist him. He had neither the Attorney nor the Solicitor General, the Chancellor of the Exchequer nor the Secretary of State for War, neither had he the assistance of the President of the Board of Trade, and even the Prime Minister had gone to bed. Another question he wished to put to the hon. Gentleman was, would he not throw on the local education authority the duty of making inquiries as to the means of the parents? That was, he took it, no part of the general duty of the education authority, and if it were imposed on it would it have sufficient machinery at its disposal under existing circumstances to carry out the duty?

MR. JOHN WARD said it was well known to parents who had children in attendance at elementary schools that the educational authorities had very elaborate machinery for making inquiries. A child was not away from school for many hours before an inquiry officer was on the spot. He soon found out the ages of the children, and the means of the family, and all this information was collected at the present time in a most methodical manner. In his opinion, therefore, they were the proper people to make the investigation.

MR. LOUGH said he could not help smiling when the noble Lord with all his legal experience questioned him as to the legal effects of this provision. He surely better understood these matters than a mere layman. He could not assure the noble Lord that in very recalcitrant cases imprisonment might not follow, but he could tell him that the result of inquiries was that the school attendance officer would be quite as well able to discharge these duties as the guardians.

SIR WILLIAM BULL: Will the proceedings be in the police court or county court?

SEVERAL HON. MEMBERS: The police court.

*MR. CAVE said it was unfortunate that those who took a real interest in the Bill should be called upon to dicuss it at that late hour. He was not opposed to the measure in principle, but he thought it was a great mistake to throw upon the education authority the duty of collecting these small sums from parents. Hon. Members would remember that originally the education authority was charged with the duty of collecting the school fees. It was an odious and difficult task, and it was partly owing to that that the system of fees was ulimately abolished. He thought it was a thousand pities now to impose on the authority a similar duty; and he was satisfied that the result would be that the Bill would shortly require to be amended. Could they not adopt a totally different plan—say one of prepayment? In any case he held the view that it would be better that the education authority should be entitled to recover the whole amount in default by precept from the guardians, who, if they deemed fit, should have the right to sue individual parents.

*MR. BRIDGEMAN said the Prime Minister, before he left the House, told them they ought to pass the Bill through quickly, because it had been thoroughly thrashed out by a Select Committee. But this particular Amendment went entirely behind the decision which the Select Committee arrived at. They came to the conclusion that it would be better to leave this duty to the Board of Guardians; now an exactly opposite proposal was being made, and the Government must expect to have it fully discussed. Could not the Minister in charge of the Bill give some better explanation of the reasons for the change? He thought it would be an extremely bad thing for the education authority to have this unpopular duty placed upon it.

*VISCOUNT MORPETH complained that hon. Members around him were subjected to continual interruptions by hon. Members who would not take the trouble to discuss the Bill properly.

THE CHAIRMAN: I hope the noble Lord will be good enough to confine himself to the Amendment.

*VISCOUNT MORPETH said he and his friends had been charged with obstruction, but he himself had voted for an Amendment which would give the sole charge of this matter to the education authority and would not bring the guardians on the scene. But while he was seeking to explain his reasons, he was interrupted in a most unmannerly manner.

MR. CROOKS: On a point of order. If we make remarks either of approval or disapproval, we are continually reprimanded by hon. Members above the gangway. If we are to be accused of unmannerly interruptions I can promise hon. Members a lively time.

THE CHAIRMAN: That is not a point of order.

MR. J. WARD: Is it in order to describe an hon. Member's attitude in this House as unmanly and unmannerly, and is it also in order to say we have no knowledge of the Bill?

THE CHAIRMAN: There has been a great deal of interruption. I do not think the word "unmanly" was used in the sense of "cowardly," or I should have declared it an unparliamentary expression. "Unmannerly" is not out of order.

*VISCOUNT MORPETH said it might have been a fault of pronunciation on his part, but he did not use the word "unmanly." He described the interruption as "unmannerly." He had been claiming for himself that he had not discussed this question in a factious or obstructive spirit. He intended in this case to support the Government proposal, but at the same time, he would point out that it would throw an extra burden on the attendance officers, the staff of whom would probably have to be doubled in some districts. With the continually growing expenditure on education, the Government should take into consideration the increased cost which this Bill would involve, and should facilitate the work of the authorities by making some extra grants to meet the extra charge the Government were imposing upon them.

LORD BALCARRES recognised there was a difficulty about the Amendment. It was an Amendment which no doubt might appear simple on the face of it, and possessed most desirable aspects from certain points of view. But really the question was not merely one of transferring from one authority to another the responsibility under this Act. The consequences might be much more far-reaching. He thought anyone who was acquainted with the work of education committees knew there was no local government work in which there was less friction between officials and parents in regard to the payment of fees. That had been swept away and practically the only remaining ground of friction, which was extremely rare, was in the case of insistent non-attendance of the child at school. He supposed it was no use appealing to the Government between now and the Report stage to alter the matter, but they were re-introducing the police court and the possibility of imprisonment for anyone who did not pay up for these meals. That was a great danger, and would either end in decreased administrative educational efficiency, or, what was equally serious, a determination on the part of the local education authority to refrain from asking for payment for the meals. In either sense there was an element of danger.

MR. HAROLD COX said this was a very serious matter, and it lay at the base both of the Select Committee's Report and the recommendation of the Inter-Departmental Committee on Physical Deterioration. The Inter-Departmental Committee declared most emphatically that the children should not be made the subject of experiment without the concurrence of the Poor Law authorities. The Committee considered that by the combination of the Poor Law authority with the education authority, the community might be protected from the consequences of the somewhat dangerous doctrine that free meals were a necessary concomitant of free education. Yet the Government were now proposing to do away with the concurrance of the Poor Law authority. He feared the result would be that in a very few years these meals would be abolutely free.

MR. WALSH (Lancashire, Ince) believed the Government had proposed the most effective way of getting payment from the parents who were able to pay. If there were one thing upon which the House was agreed it was that the particular authority who performed this special work should be charged with the duty of collecting the money. The area of the poor law authority was not at all coterminous with that of the local education authority, and meals might be provided by a particular local education authority, and yet the duty of collecting the money might be thrown upon another authority that had no effective or direct or indirect control over the matter. Labour Members had been taunted with remaining quiet, but to every reasonable argument that was put forward they were willing to give the most serious attention.

Question put, and agreed to.

Amendments proposed—

"In page 2, line 26, to leave out the word 'shall,' and insert the word 'to.'"

"In page 2, line 2, leave out from the word 'from,' to end of line 11, and to insert the words 'that parent, and any such amount may be recovered summarily as a civil debt.'"—(*Mr. Lough.*)

Amendments agreed to.

SIR WILLIAM BULL moved an Amendment to prevent a parent from being committed to prison for any default of payment of the cost of meals supplied to his children. This was a very modest proposal, and he hoped the Government would accept it.

Amendment proposed—

"In page 2, after the words last inserted, to insert the words 'provided that under no circumstances shall a parent be convicted for default in payment of any sum under this Act."—(*Sir William Bull.*)

Question proposed, "That those words be then added."

MR. LOUGH said he hoped the hon. member would not press this Amendment. There was no possibility of a committal unless it was proved that the parent had means and would not pay.

MR. RAWLINSON said that apparently the hon. Member was under the impression that these proceedings would be taken in the County Court, because he said that imprisonment could only take place in case it was proved that a man had means and would not pay; but that was not the case. Surely it was a small concession to prevent a parent being imprisoned for such a trifling matter.

MR. CLAUDE HAY said this was a point which ought to be made quite clear. Evidently lawyers were not agreed upon it, and the hon. Member in charge of the Bill had not given a satisfactory definition. He trusted that their doubts would be set at rest by some words being added which would ensure that no parent could be imprisoned for non-payment of this charge.

MR. PICKERSGILL (Bethnal Green, S.W.) said the conditions under which a person was proceeded against in a civil case were exactly the same as in the County Court, because they had to prove that when the order for payment was made the person had the means to pay. The procedure was just the same in both cases.

MR. NIELD (Middlesex, Ealing) thought this was a very proper Amendment to make. He was quite sure that the proposal which had been made was the only one that was reasonably practicable. Although in theory the orders made in a Court of summary jurisdiction and in a County Court were supposed to be founded upon ability to pay and refusal to pay, yet in practice it was very different. At the present time the onus of proof was upon the person who was seeking to commit the debtor to show that he had the means to pay, but that was not so under this Bill.

Question put.

The Committee divided:—Ayes, 22; Noes, 126. (Division List No. 479.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex F.
Balcarres, Lord
Bowerman, C. W.
Cavendish, Rt. Hn. Victor C. W.
Cobbold, Felix Thornley
Cooper, G. J.
Crooks, William
Douglas, Rt. Hon. A. Akers-
Hardie, J. Keir (Merthyr Tydvil)
Hunt, Rowland
Jowett, F. W.
Keswick, William
Macpherson, J. T.
O'Connor, John (Kildare, N.)
O'Grady, J.
Richards, T. F. (Wolverh'mptn
Seddon, J.
Smith, F. E. (Liverpool, Walton)
Talbot, Lord E. (Chichester)
Thorne, William
Valentia, Viscount
Ward, John (Stoke upon Trent

TELLERS FOR THE AYES—Sir William Bull and Mr. Claude Hay.

NOES.

Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch)
Balfour, Robert (Lanark)
Banbury, Sir Frederick George
Baring, Godfrey (Isle of Wight)
Barnard, E. B.
Beale, W. P.
Beaumont, Hn. W. C. B. (Hexh'm
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo.
Bethell, Sir J. H. (Essex, Romf'rd
Boland, John
Branch, James
Bridgeman, W. Clive
Brodie, H. C.
Brooke, Stopford
Brunner, Rt. Hn. Sir J. T. (Chesh.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Carr-Gomm, H. W.
Channing, Sir Francis Allston
Clarke, C. Goddard
Clough, William
Condon, Thomas Joseph
Corbett, C H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cox, Harold
Craig, Capt. James (Down, E.)
Crean, Eugene
Davies, Timothy (Fulham)
Delany, William
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Elibank, Master of
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gladstone, Rt. Hn. Herbert John
Greenwood, G. (Peterborough)
Gulland, John W.
Gwynn, Stephen Lucius
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hayden, John Patrick
Higham, John Sharp
Hills, J. W.
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Jones, Sir D. Brynmor (Swansea
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Laren, Sir C. B. (Leicester)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.

Morgan, G. Hay (Cornwall)
Morrell, Philip
Murphy, John
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncast'r
Nield, Herbert
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary, Mid
O'Brien, Patrick (Kilkenny)
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Raphael, Herbert H.
Rea, Walter Russell (Scarboro
Redmond, William (Clare)
Rickett, J. Compton
Roberts, G. H. (Norwich)
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Seely, Major J. B.
Shaw, Rt. Hn. T. (Hawick B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thos. F. (Leitrim, S.)
Stewart-Smith, D. (Kendal)
Sullivan, Donal
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Ward, W. Dudley (Southampt'n
Wason, Eugene (Clackmannan)
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Wiles, Thomas
Wilson, W. T. (Westhoughton)
Younger, George

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. LOUGH said the hon. Member for Blackpool had given notice of an Amendment, but as the hon. Member was not present he would move the Amendment. If he approved of an Amendment he was always ready to support it from whatever quarter of the House it came.

Amendment proposed—

"In page 2, line 11, at end to add 'and the local education authority shall pay over to the school canteen committee the money so recovered, or such portion thereof as may represent the cost of the food furnished by the committee to the child, in respect of whom the payment is made.'"—(*Mr. Lough.*)

Amendment agreed to.

Clause 2, as amended, agreed.

Clause 3:—

MR. JOWETT moved the omission of the words requiring the local education authority to be satisfied as to the "necessitous character of the area," and the substitution of words entitling any of the children attending an elementary school to receive meals if they were unable by reason of lack of food to take full advantage of the education provided for them. There would be a difficulty in getting local authorities to declare that their respective areas were necessitous ones. He had known instances where there had been distress which demanded exceptional measures in the localities, but there had been hesitancy on the part of the community, especially in commercial districts, to admit that they were in such a state. The words of the clause would perhaps prevent any town in England declaring itself a necessitous area.

Amendment proposed—

"In page 2, line 12, to leave out from the word 'authority,' to the word 'funds,' in line 13, and insert the words 'resolve that any of the children attending an elementary school within their area are unable by reason of lack of food to take full advantage of the education provided for them, and.'"—(*Mr. Jowett*).

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. F. E. SMITH said this Amendment would completely meet an objection which he raised on an earlier stage of the Bill.

MR. LOUGH said the Amendment met a promise which he made at an earlier stage, and he accepted it. He admitted that the words in the clause were unduly restrictive, and that they would apply to London and many other large areas in which the necessity might not be general.

Amendment agreed to.

Amendment proposed—

"In page 2, line 25, to leave out from the third 'the,' to end of clause, and to insert the words 'parish or parishes which, in the opinion of the council, are served by the school.'"—(*Mr. Lough.*)

Amendment agreed to.

Motion made, and Question proposed "That the clause, as amended, stand part of the Bill."

SIR FREDERICK BANBURY opposed the clause on the ground that it was wrong to allow public money to be spent for this purpose. It had been argued that as the rate to be charged was only one halfpenny in the pound the obligation put on the ratepayers was not onerous. He did not care for the purpose of his argument whether the rate was onerous or not. There was a principle involved, and he did not believe that the ratepayers should be called upon to contribute to the keeping of other people's children when in many cases the parents were able to provide for them themselves. Parental responsibility should be strengthened and not weakened. He believed it would be weakened once they gave power to the local authorities to provide food for children out of the rates. They could not stop at a halfpenny rate, for it would not be sufficient to provide the funds which would be required under the Bill. If they once admitted the principle they would be embarking on a very dangerous course. In the future, people, whether they were able to maintain their children or not, would say not only that they should have their education free, but that their children should be provided with food. That was an attitude which ought not to be encouraged. Moreover, if this principle were carried out, it would encourage young people of nineteen or twenty to marry although there was very little prospect of their having permanent employment. There was another point, viz., that this would be a direct inducement to employers to lower wages; and that, in the end, would affect all classes of the community.

MR. VICTOR CAVENDISH said that so far as he understood the clause, it dealt with those cases in which there was not a sufficient supply of voluntary funds. What he wanted to know was whether they were to rely on the rates for the cost of the meals, or on the funds which were placed at the disposal of the local education authority by this House. He himself understood that the local education authority was not to use the funds voted by this House for the purposes of this Act

AN HON. MEMBER: Yes, that is so.

Question put.

The Committee divided:—Ayes, 132; Noes, 17. (Division List No. 480.)

AYES.

Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barnard, E. B.
Beale, W. P.
Beaumont, Hn W. C. B (Hexham
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo
Boland, John
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, Rt Hn Sir J. T. (Cheshire
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Carr-Gomm, H. W.
Clarke, C. Goddard
Clough, William
Cobbold, Felix Thornley
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crooks, William
Davies, Timothy (Fulham)
Delany, William
Dobson, Thomas W.
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards Clement (Denbigh)
Elibank, Master of
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gladstone, Rt. Hn Herbert John
Greenwood, G. (Peterborough)
Gulland, John W.
Gwynn, Stephen Lucius
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lewis, John Herbert
Lough, Thomas
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.)
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murphy, John
Newnes, F. (Notts, Bassetlaw)
Nicholson, Charles N (Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Grady, J.
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Price, C. E. (Edinburgh, Central)
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Roberts, G. H. (Norwich)
Rogers, F. E. Newman
Rowland, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Schwann, Sir C. E. (Manchester)
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith, F. E. (Liverpool, Walton)
Smyth, Thomas F. (Leitrim, S.)
Stewart-Smith, D. (Kendal)

Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Ward, John (Stoke upon Trent
Ward, W. Dudley (Southampton
Wason, Eugene (Clackmannan)
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Wiles, Thomas
Wilson, W. T. (Westhoughton)

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt Hn Sir Alex. F.
Balcarres, Lord
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cavendish, Rt. Hon. Victor C. W.
Cecil, Evelyn (Aston Manor)
Cox, Harold
Craig, Captain James (Down, E.
Hills, J. W.
Hunt, Rowland
Morpeth, Viscount
Nield, Herbert
Rawlinson, John Frederick Peel
Talbot, Lord E. (Chichester)
Valentia, Viscount
Younger, George

TELLERS FOR THE NOES.—Sir Frederick Banbury and Sir Henry Craik.

Clause 4:—

*MR. BOWLES said he wished to move an Amendment, the object of which was to provide that where a parent had failed to pay the amount demanded under the Act he should not be entitled to exercise the privilege of the franchise. This was a matter to which he attached very serious importance, and he was sorry that it was necessary to raise it at that late hour. The principle for which he was contending was one which he believed up to that moment had been universally accepted in this country, namely, that where a man accepted public charity, as for instance where a man allowed his children to be fed at the public expense, that man should not be in a position to vote for the continuance or possible increase of those favours at the hands of the public. That was a simple and intelligible position. What was the alternative? It was that in the future in this country alone, of all the countries of the world, it was to be solemnly decreed that a man might accept public charity and yet be a party by his vote to continuing to impose the burden of his own private expenses upon his fellows, and upon the community. He really felt surprised that in a British House of Commons it should be necessary to ask for more than a passing consideration for a principle of this kind. Unless the principle which he had indicated were adhered to, they would be wilfully and with their eyes open conniving at the creation of a great privileged class—a class living at the public expense and upon public charity. Yet in spite of that, they were under this Bill to have the power of giving a vote in order that the charity upon which they lived might be continued. He earnestly hoped that the Government, even at that early hour of the morning, and at the fag end of the session, would give serious consideration to the subject before they infringed a principle upon which he believed the self-respect—to put it no higher—of the great masses of the population of this country depended

Amendment proposed—

"In page 2, line 27, to leave out from the word 'child, to the word 'shall' in line 29."—(*Mr. Bowles.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. LOUGH said the case was not so simple as the hon. Gentleman suggested, as there were many exceptions to this rule of disfranchisement, and if there were not he thought they would be bound to make an exception in this case. The tendency in these days was not to impose these restrictions. The rules of the Bill were very strict; the proposal would be a great hardship that a man should be disfranchised for such a trivial matter as this, especially seeing that in some cases the child might be fed without the consent of the parent. The Bill provided that the parent should be pursued and the Committee had discussed the matter very fully. Certainly he would disfranchise parents convicted of cruelty, but he thought that, on the whole, the Committee would feel that the provisions of the Bill were quite stringent enough, and were in accordance with any precedent which existed.

*MR. HAROLD COX felt with the hon. Member opposite that this was a very serious matter. Hon. Members below the Gangway opposite spoke as if the franchise was a right, but he denied that *in toto.* A man might have a right to govern himself, but he had no right to govern his neighbour. The franchise gave a man the power to govern his neighbour, and deal with his neighbour's money. That was a privilege, not a right, and if a man failed to discharge the primary duty of feeding his own children he was not worthy of that privilege of ruling over his neighbours. In other words, he was not worthy of the franchise.

Sir HENRY CRAIK said that if a man did not fulfil the primary obligation to feed his children, the Financial Secretary to the Board of Education urged that he should not be deprived of the franchise. If that was the view of the Government, and of the Committee, he was sure it was not shared by the great bulk of the working men of the country. They would certainly have to express their conscientious convictions by voting against this proposal, which was, in his opinion, degrading and insulting to the working men of the country, and that it was illogical was shown by the fact that while we did not condone a man's failure to feed himself, it was proposed to condone his failure to feed those who were dependent upon him.

Mr. ROGERS said the clause meant that, if a man was unable to pay when on some occasion a meal of bread and milk was given to his child at school, he should not be disfranchised. He cordially agreed with the clause, and thought that it was a fair one, He considered that it would be a monstrous thing to disfranchise under such circumstances. He instanced the case of a woman who was the breadwinner for the family. [Cries of "She has no vote."] She had a municipal vote. It was monstrous to propose to disfranchise her because her child received a cup of hot milk at school, and to take away from her the power of influencing the appointment of parish officials.

Sir FREDERICK BANBURY said the mere provision of the meals did not disfranchise, and the Amendment of his hon. friend was, in his judgment, less drastic than the clause itself. Therefore he did not care whether they voted upon the Amendment of his hon. friend or upon the clause. To disfranchise a father for the provision of a meal would he admitted be rather hard, but his hon. friend had proved that it was only in the case of failure to pay that disfranchisement should follow. For his part he thought this was the most vital part of the Bill. He did not believe that it was advisable to allow a man who had received money from the State or from the rates to vote. The Government however were going to put power into the hands of people who had no property and who had received help to vote for a proposal that they should receive more money. Yet they spoke about bribery and corruption! They passed Acts of Parliament against those offences, and if a candidate took a sovereign out of his pocket and gave it to a voter he was penalised. This proposal was far and away beyond anything of the sort. [Ironical cries of "Shocking."] It was all very well to talk about "shocking," but they had had revelations at West Ham and Poplar which he considered shocking. He contended that either the carrying of this clause or the rejection of this Amendment would lead to a great deal of corruption. People of the class concerned who had a vote would be given the idea that the only object of the vote was to get what they could instead of its being the duty of the elector to do his best for his country. Under these circumstances he was prepared to vote either for the Amendment of his hon. friend or against the clause whichever they decided to do.

Amendment negatived.

Mr. BOWLES moved an Amendment extending the limitation of the clause to the case where the local authority is satisfied that the failure of the parent to pay is due to his own default. The man he was after was the man who accepted charity for his child when he could pay and would not, and where it was obvious that the education authority was aware of it. That was the man whom this House ought not to afford any protection to or afford any excuse for. He submitted that this Amendment was a moderate and reasonable one. They did not want these blackguards and defaulters to have a vote. Any man who refused to pay when he was able to do so was a miserable scoundrel, and he ought not to be allowed to vote. He hoped the Government would receive the Amendment in the spirit in which it was moved. It was actuated by a desire not to interfere with or infringe the merits of the Bill but to safeguard its operation. He begged to move:—

Amendment proposed—

"In page 2, line 33, after the word 'furnished' to insert the words 'or unless the local education authority is satisfied that the failure of the parent to pay the amount demanded under this Act is due to his own default.'"—(*Mr. Bowles.*)

Question proposed, "That those words be there inserted."

Mr. LOUGH said that this Amendment was even more impossible than the last. The hon. Member, having had some experience, knew the difficulty attaching to the fact of not knowing at a particular moment whether a man had a vote or not, and how it affected even members of this House. It was necessary that such a matter should be clear, and this Amendment was not at all clear. Who could prove whether the local education authority was satisfied even if the man was brought before them? There was a good idea at the bottom of the hon. Gentlemen's suggestion, but the Amendment was not framed in accordance with what were called "terms of art." He could not accept it, because it would not work.

Lord R. CECIL said the Committee was indebted to the hon. Gentleman for the way in which he had raised the spirits of the Committee. Although the speech was unimpeachable in its tone it was not so in its argument. The hon. Gentleman admitted that the Amendment was admirable in substance; that the underlying idea was excellent, but because it was not clothed in what the hon. Gentlemen called "terms of art" the Government must reject it. That was an illuminating statement, but he would point out that the Government sometimes took a different view and, when they considered an Amendment was improperly drafted but right in principle, they said that they would take care that something was done on Report. It was quite clear that when a man was sued for non-payment for his child's dinner, and it was proved that the non-payment was not due to want of means but to a perversity of spirit, the man ought not to be allowed to exercise the franchise. He suggested that the hon. Gentleman should consult those excellent advisers that were somewhere at the disposal of the Government and see if the Amendment could be clothed in "terms of art."

Mr. LOUGH said he was surprised when he saw the Amendment on the Paper that it had not been taken in hand by the hon. Member for Kensington or the hon. Member for Oxford University and clothed in terms of art. A man might make default quite innocently and quite consistently with his ability to pay. Did the hon. Gentleman suggest that a man who made default through inability to pay, was to be disfranchised? If the hon. Gentleman had asked one of his legal friends, they would have given this Amendment some of those terms of art that would have saved it from being absurd. A more meaningless, absurd, and ridiculous Amendment had never been put upon the Paper.

Mr. JOHN O'CONNOR said the education authority had no criminal jurisdiction at present, but it was proposed by this Amendment to place in their hands the power of inflicting a penalty upon a person who might innocently make default in payment. He hoped he had succeeded in pointing out a defect in this very artless Amendment.

Mr. BOWLES thought the hon. and learned Member had a little misunderstood the effect of the Amendment. He had said it would have the effect of converting the education authority into a court of law, and that that would be a ridiculous thing to do, but if so then it was a ridiculous thing which the Bill had already done. He would like to direct the hon. Member's experienced attention to Clause 2, which provided that the local education authority, before a parent could be charged at all for any meal, had to be satisfied that the parent was able to pay, or unable to pay by some reason not of his own default. The hon. Gentleman had declared that default was perfectly consistent with innocence, but the default which his Amendment contemplated was not so consistent.

Amendment negatived.

Motion made, and Question proposed, "That the clause stand part of the Bill."

Lord R. CECIL asked what was the exact meaning of the last part of the clause. Why should conviction and service of a sentence involve disfranchisement. It appeared to him that the scheme of the clause was that mere failure to pay for a child's meals would not disqualify a man from voting, even if that failure were due to his own default. But if in addition to that and of the qualifying period he was convicted of cruelty to or neglect of the child, he was to be disqualified. He did not see why that should be so. Under the ordinary law, if a man had been convicted but had not served his sentence he was disqualified, but surely if he had served his sentence and expiated his crime he ought not to be disqualified.

Mr. LOUGH said he could not quite understand the point raised by the noble Lord, but he would undertake to look into the matter before the Report stage.

Mr. RAWLINSON doubted if there was any necessity for the clause at all.

Question put.

The Committee divided:—Ayes, 133; Noes, 15. (Division List No. 481.)

AYES.

Acland, Francis Dyke
Alden, Percy
Allen, A. Acland (Christchurch)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barnard, E. B.
Beale, W. P.
Beaumont, HnW.C.B (Hexham
Bellairs, Carlyon
Benn, W.(T'w'r Hamlets,S.Geo.
Boland, John
Bowerman, C. W.
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, RtHnSir J.T(Cheshire
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Carr-Gomm, H. W.
Clarke, C. Goddard
Clough, William
Cobbold, Felix Thornley
Condon, Thomas Joseph
Cooper, G. J.
Corbett, CH.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crooks, William
Davies, Timothy (Fulham)
Delany, William
Dickson-Poynder, Sir John P.
Dobson, Thomas W.
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Elibank, Master of
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Gladstone, Rt.Hn.Herbert John
Greenwood, G. (Peterborough)
Gulland, John W.
Gwynn, Stephen Lucius
Hardie, J.Keir (MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B.(Worcstr)
Hart-Davies, T.
Hay, Hon. Claude George
Hayden, John Patrick
Higham, John Sharp
Hodge, John
Hogan, Michael
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Kennedy, Vincent Paul
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lewis, John Herbert
Lough, Thomas
Lyell, Charles Henry
Macdonald, J.M.(Falkirk B'ghs
Macnamara, Dr. Thomas J.
Macpherson, J. T.
MacVeagh, Jeremiah (Down,S.
MacVeigh, Charles (Donegal,E.)
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Masterman, C. F. G.
Meagher, Michael
Money, L. G. Chiozza
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Murphy, John
Newnes, F. (Notts., Bassetlaw)
Nicholson, Charles N.(Doncast'r
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien, Kendal (TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Grady, J.
Paul, Herbert
Paulton, James Mellor
Pickersgill, Edward Hare
Price, C.E.(Edinburgh, Central)
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, William (Clare)
Richards, T.F. (Wolverh'mpt'n
Rickett, J. Compton
Roberts, G. H. (Norwich)
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Schwann, SirC.E. (Manchester)
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith, F.E.(Liverpool, Walton)
Smyth, Thomas F. (Leitrim, S.
Stewart-Smith, D. (Kendal)
Sullivan, Donal
Thorne, William
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Walsh, Stephen
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampt'n
Wason, Eugene (Clackmannan)
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke, (York, E.R.)
White, Patrick (Meath, North)
Wiles, Thomas
Wilson, W. T. (Westhoughton)

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt Hn.SirAlex.F.
Banbury, Sir Frederick George
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Cavendish, Rt.Hon.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Cox, Harold

body elected on a thoroughly popular franchise to deal with a vast variety of subjects of which education was only one. The school board dealt with nothing but education, and it was elected on the cumulative vote which most people thought required revision. Was that the body to which they were prepared to hand over the important duties under the Bill? The duties were entirely alien to those which the school boards had hitherto performed. They were to be taken away from the bodies administering the Poor Law. The term "public elementary school" was entirely unknown in Scotland, and at the last moment they were told that a new definition was to be introduced. He warned the right hon. Gentleman that this would lead to serious complications He would be surprised if Scottish Members opposite were not prepared to lift their voices against this method of conducting Scottish business. The application of the Bill to Scotland was contrary to the whole of the evidence laid before the Select Committee, though the Committee had by a small majority decided to include Scotland. He for one protested against the proposal.

*MR. McCRAE (Edinburgh, E.) said he rose because he did not wish the Committee to think that the hon. Member had expressed the opinion of Scotland. He had listened with amazement to the speech, for after all the Bill was really initiated in Scotland. The present agitation was set agoing by the recommendations of the Royal Commission on which the hon. Member and himself had the honour of sitting. He would remind the hon. Member that he had then agreed that the preparation and cooking of these meals when it was found necessary ought to be regarded as one of the charges incident to school management, and yet the hon. Member now stated that Scotland did not wish such a Bill. He did not know whether the hon. Member would say that he spoke for the working classes of Scotland, but if he would go and address a meeting in any part of Scotland he would find whether he would be supported in the view which he had stated.

*MR. GULLAND (Dumfries Burghs), said that the best answer to the hon. Member for Glasgow University was that the Bill was optional, and that school boards who did not want it were not obliged to put it in force. There were some school boards who did wish the Bill. At any rate the application of the Bill to Scotland would draw the attention of people to the subject of the feeding of school children, and they would organise means, either by subscriptions or by the application of the rates, whereby poor children would be attended to better than they had been in the past. It was true that Edinburgh School Board decided against the original Bill by 11 to 2, but on the amended Bill the numbers were changed to 9 against 5. A large minority of Glasgow School Board had petitioned in favour of the unamended Bill. This question had been described as a controversial one. He hoped that when it was taken out of the way by the passing of this Bill there would be a clearer field to carry out the real educational reforms which Scotland wanted.

MAJOR SEELY (Liverpool, Abercromby) reminded the hon. Member who moved the omission of the clause that he himself sat on the Commission which established the fact that 30 per cent. of the children in many of the districts of Edinburgh were through under-feeding incapable of receiving physical training. The Committee had seen a good deal this evening of the opposition of the overfed Member to the under-fed child. He only rose to say that the opposition was even more unjustifiable as applied to Scotland than as applied to England.

MR. KEIR HARDIE said that the fact that working class opinion in Scotland was in favour of the Bill was shown by petitions from the Trades Congress and the trades councils of Glasgow, Edinburgh, Leith, Dundee, Aberdeen, and Ayrshire. He was told that five members of the School Board of Glasgow desired to give evidence before the Committee upstairs, but were prevented from doing so. He mentioned these facts because it was said that there was no opinion in Scotland behind the Bill.

SIR HENRY CRAIK said the hon. and gallant Member for the Abercromby Division had thought it proper and consistent with good taste to refer to him as one of the overfed Members; he could only say——

MAJOR SEELY: I wish to explain that the hon. Gentleman was not of those to whom I referred as overfed.

SIR HENRY CRAIK said there were some hon. Members who had been sitting in the House since noon on Friday. They were glad to think that the hon. and gallant Member had fared more sumptuously than themselves. He had been asked by the hon. Member for East Edinburgh how he could reconcile his present action with the Report he signed in common with the other members of the Royal Commission. He could only say that what he and his friends advocated in the Select Committee was precisely on the lines of what he had advocated here to-night. The Royal Commission distinctly drew the line at food, and that was the answer he wished to make to the hon. Gentleman opposite.

Question put, and agreed to.

Clause 8:—

Motion made, and Question proposed, "That the clause stand part of the Bill."

MR. HAROLD COX said that as this Bill had nothing whatever to do with education, he suggested that it should be described as the Pauperisation Bill.

*DR. MACNAMARA said, as a man who had worked many years for the principle of this Bill, he wished to thank the Labour Members for having taken this Bill up and especially the Member for Westhoughton for having given it his place in the ballot; the Government for having given time for the consideration of the Bill; and also the Parliamentary Secretary to the Board of Education for so ably conducting it through Committee during the last fourteen and a half hours.

*MR. KEIR HARDIE said that he and his friends appreciated very much indeed the way in which Members in all parts of the House had exerted themselves to get this Bill through; and he was sure that he expressed the opinion of all his friends when he said that he appreciated the genial humour with which the Parliamentary Under-Secretary had piloted the Bill through Committee.

Question put, and agreed to.

Bill reported; as Amended, to be considered upon Monday next, and to be printed. [Bill 366.]

BURIALS BILL.

Considered in Committee, and reported, without Amendment; read the third time, and passed.

REMOVAL OF OFFENSIVE MATTER BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*MR. CLAUDE HAY moved the rejection of the Bill, because it was a tinkering measure. It repealed a portion of the Act of 1889, whereas he thought more of that Act ought to be repealed. From the view of public health, this was a measure of primary importance, but they had received no explanation of it from the hon. Member in charge of the Bill. He thought Clauses 4 and 5 were drawn on wrong lines, and that the local authorities should be granted power to prevent the carrying of offensive matter during daylight. His contention was that if the Bill passed in its present shape, the residents in the suburbs would not only be exposed to great inconvenience, but there would be considerable danger to public health. It was a meddling Bill, and would cause overlapping between local authorities. The management of the Metropolitan area was no light affair, and they ought to prevent any possible confusion in administrative matters affecting public health. For these reasons he moved the rejection of this Bill, and because he believed that no useful legislation could be passed when pettifogging measures of this nature were presented at that hour in the morning.

CAPTAIN CRAIG seconded.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Claude Hay.*)

Question proposed, "That the word 'now' stand part of the Question."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea) appealed to the House to give him the Second Reading of this little Bill, but perhaps it was necessary that he should explain its simple proposals. We had in London, as everybody knew, and as must be the case in every large city, a certain amount of offensive matter which had to be moved from place to place. This particular occupation was not a very profitable or pleasant one, and it was sometimes a very dangerous one for those engaged in it. Everybody would agree that these operations ought to be carried out under conditions which would render no man liable to be be harassed, endangered, or imprisoned, and the object of the Bill was to unify the sanitary areas over which these operations were carried on. In consequence of the sanitary area not being unified great inconvenience resulted. Supposing there was a load of insanitary matter put into a barge at Teddington Lock and its destination was Tilbury, under the law as it now stood the barge man took his barge load and reached Barking, and if the hours expired during which he might remove this offensive matter he had, before he could move again under the regulations of the County Council, to remain there twenty-four hours or risk fine or imprisonment. He thought that men who performed this useful and evil-smelling work ought to be protected, and the time had arrived when all the authorities had agreed that the regulations of the Connty Council and of the police should be unified and that these men should be enabled to carry out their work in a proper way. The hon. Member was mistaken about the alteration of the hours. The rule now was that offensive matter could only be moved between 8 p.m. and 6 a.m. and the proposal of this Bill was that the hours should be from 6 a.m. to 12 noon. The reason for the change was that if offensive matter were removed between 8 o'clock at night and 6 o'clock in the morning that was the period of darkness, and for a sanitary operation of this nature daylight was, in the opinion of the police, indispensable. The hon. Member talked about people in the suburbs being inconvenienced, but what now happened was that under the cover of fog or darkness this offensive matter was deposited sometimes on the forecourt or gardens of suburban residences, which could not be done if the police were able to keep their eye upon the men who did it, as they would have an opportunity of doing in daylight. This Bill would give equal rights to everybody engaged in the removal of offensive matter, and they had a right to see that these men got just and proper treatment in carrying out this offensive work. He had expected the hon. Member to quote the poet Coleridge in regard to Cologne, in which place he said he counted seven and twenty different smells, which were all well-defined and separate stinks. In London we had not seven and twenty smells, but we had several well-defined and separate stinks, and in order to get rid of them he hoped the House would give the Government the Second Reading of this Bill.

MR. CLAUDE HAY said that after the explanation of the right hon. Gentleman, he would ask leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

RECORDERS, STIPENDIARY MAGISTRATES, AND CLERKS OF THE PEACE BILL.

Considered in Committee.

Clause 1:—

Amendment proposed—

"Page 1, line 21, at the end, to insert the words 'Provided that the power of a person to act temporarily under this provision shall not extend beyond a period of six months from the occurrence of the vacancy.'"—(*Mr. Bowles.*)

THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) accepted the Amendment, which, he thought, would be a distinct improvement of the Bill.

Amendment agreed to.

Clause, as amended, agreed to.

Bill reported; as amended, to be considered upon Monday next.

ADJOURNMENT.

Resolved, "That this House at its rising this day, do adjourn till Monday next."—(*Mr. Whiteley.*)

Whereupon Mr. DEPUTY-SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at nineteen minutes before Four o'clock, a.m. till Monday next.

HOUSE OF LORDS.

Monday, 10th December, 1906.

PRIVATE BILL BUSINESS.

Ure Elder Fund Order Confirmation Bill [H.L.]. A Bill to confirm a Provisional Order relating to the Ure Elder Fund—Was presented by the Earl Beauchamp (for the Lord Hamilton of Dalzell); read 1^a; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899, Section 7) deemed to have been read 2^a; and reported from the Committee. (No. 227.)

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petition for Amendment of; of inhabitants of parish of Ross; read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petition against; of inhabitants of parish of Nailstone; read, and ordered to lie on the Table.

TRADE DISPUTES BILL.

Petitions for Amendment of; of employers of labour in Aberdeen and district (signing); employers of labour in Yorkshire (signing); and Birmingham Chamber of Commerce; Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

COLONIES: ANNUAL.

No 512. Southern Nigeria (Report for 1905).

TRANSVAAL.

Transvaal Constitution, 1906. Letters Patent and Instructions relating to the Transvaal and Swaziland Order in Council.

Asiatic Law Amendment Ordinance, No. 29, of 1906.

INDIA (TRADE).

Review of the trade of India in 1905–6. Presented (by Command), and ordered to lie on the Table.

LUNACY.

Report to the Lord Chancellor of the number of visits made, the number of patients seen, and the number of miles travelled by the visitors of lunatics, pursuant to the Lunacy Act, 1890, between 1st April and 30th September, 1906.

SHOP HOURS ACT, 1904 (HEBDEN BRIDGE URBAN DISTRICT).

Order made by the council of the West Riding of Yorkshire, and confirmed by the Secretary of State for the Home Department, fixing the hours of closing for certain shops within the district.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

THE MILITIA.

*THE EARL OF WEMYSS rose to call attention to "the altering of the terms of service in the Militia by rendering them liable to be sent abroad at the will of the Government of the day, a change hurtful alike to the Militia and the nation, as it would lessen the chances of recruiting a force, ever from 20,000 to 30,000 short of its established strength, though containing a very large number of boys under twenty years of age, while the exercise of the existing power of compulsory Militia Home Service would be rendered impossible."

The noble Earl said: My Lords, I have, in the first place, to apologise for the delay there has been on my part in bringing on this Notice, but I postponed it, by request, because it was wished that nothing should come between the House and the late discussion on the Education Bill. As regards Army reform, we are not in a position to know exactly what Mr. Haldane intends. We are not to know that until the spring. Probably we shall hear it on 1st April. But we can gather enough from his "thinking aloud" to know what the general tendancy of the measure will be. The intention of His Majesty's Government and of Mr. Haldane is that we should have what they call a "national Army." Now, that national Army is illustrated by Mr. Haldane by a cone. The base of the cone, the principal part of it, is to be pure Volunteers; the centre part of the cone is made up of Militia;

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

the sharp point is the Regular troops, and that sharp point has been reduced by something like 20,000 men, and my unhappy country of Scotland, which would be, perhaps, the first to be invaded, is not to have any cavalary regiments at all.

But the main thing is that, according to Mr. Haldane, this Army is to be "on purely British principles." I want to know what those purely British principles are. I imagine that in Mr. Haldane's view they mean purely volunteering and nothing in the shape of compulsion. My noble friend the Under-Secretary of State for War gives no sign either of approval or disapproval. I assume, therefore, that purely British principles mean purely voluntary principles. I traverse that statement absolutely. I say that purely British principles are the reverse, that purely British principles are compulsion in the Militia for Home defence. It is true that this power of compulsion has been long in abeyance, but it exists, and every year Parliament passes a Bill to suspend the action of the Militia ballot. Therefore, I am justified in asserting that Mr. Haldane is inaccurate in saying that this scheme rests on purely British principles. On the other hand, his Army Reform scheme rests on absolutely un-British principles. There is no denial.

Now I come to my Motion. My Motion is in two parts. The first refers to the alteration of the terms of service in the Militia. Service in the Militia at present is voluntary, but militiamen may be sent anywhere throughout the world if they volunteer. By the change which is proposed the terms of service are to be altered, and militiamen are to be rendered liable to be sent abroad at the will of the Government of the day. That is a great upheaval of the traditions on which our military system rests. Why is this change made? I contend that without any change such as this you can get all you want. You have only to ask the Militia. If the Government said, "We want a certain number of regiments, we ask you to volunteer," what would be the result? Every regiment would volunteer. That is a certainty, and then you would have to select from the whole the number that you required. Therefore, why, in God's name, upset the foundation of our military system when there is no necessity for it? This appears to me to be the common sense of the thing.

Take the history of the Militia. Have they ever failed you when you wanted them? Did they fail you in the Peninsula? Did they fail you at Waterloo? Did they fail you in the Indian Mutiny? It is true that they did not go to India, but they went to the Mediterranean. And did they fail you in the Crimea? No. At the time of the Crimea they garrisoned Malta and Gibraltar. On any occasion, whether it be Spain, Waterloo, the Crimea, India, or, lastly, South Africa, have they ever failed you? No. Have they ever objected in any way or refused to respond to your invitation? They have not. Therefore I say you are, without any possible justification, breaking up the foundations of our military system, which rests upon a Militia raised compulsorily for Home defence according to the old constitutional power. The power of forcing men to serve in the Militia for Home defence only is a power that it seems to me something like madness willingly to throw away; but, if the terms of service are altered in the way proposed, you practically throw it away, because you cannot establish the principle of compulsion to send men to Egypt, to West Africa, to Timbuctoo, or anywhere else. Therefore, my Lords, a great power will be done away with if this change is made.

I go further. You will put the British-born man in a more abject position with regard to compulsion than either a Frenchman or a German. In the French army, which is recruited absolutely by compulsion, you cannot send a man to Algiers, to Madagascar, or anywhere else abroad against his will and consent. The same thing obtains as regards Germany. In Germany also, they have to obtain the consent of the men, although they are recruited by compulsion, before sending them to German possessions abroad. That does away with the argument that it is unfair that men should be asked to volunteer. As regards that point, in your divsion of the Militia those who do not wish to go abroad would remain in the Home Department. Therefore, all these arguments fall to the ground, and we come to this, that the only sure basis on which you can build a military system is by compulsion for Home defence. Unless England adopts this, it had better do what I heard the other day was done in the case of the Bishop of Osnaburg. That Bishop was one of those potentates who had a little army before the union of the German States, and that army bore on its helmets the words "Give us peace, O Lord!" Now, my Lords, we know the changes in uniform to which our soldiers are subject, and I would suggest that as our army organisation now is, our soldiers should get another new cap in the shape of Mr. Haldane's cone with the Osnaburg prayer upon it.

Now, in expressing the views which I have laid before your Lordships as regards compulsory Home Service I have not been stating my own opinion only. Who, then, are the authorities who looked upon the enforcement of our constitutional annually suspended law of compulsory service in the Militia as the only sure solution of our present difficulties? I wrote in the autumn four letters to the *Scotsman*, in one of which I pointed out that the authorities numbered ten, and were— (1) Lord Sidmouth (Militia Transfer Bill), 1807; (2) Sir James Grahame's Committee on Army Organisation, 1860; (3) Recruiting Commission, 1867; (4) Lord Dalhousie, 1867; (5) Lord Longford, 1867; (6) Sir James Scarlet, 1870; (7) Colonel Anson, 1870; (8) Sir W. Mansfield (Lord Sandhurst) 1871; (9) Lord Wolseley, 1903; (10) County and urban authorities, 1903. I will not trouble your Lordships with what those authorities said, but they all, as strongly as possible, insisted that if you are to have an Army at all, it must be built on a sure foundation, and the only sure foundation is compulsory service under the existing law.

From this list there was one omission, and I did not know of it until a few days ago. I refer to the views of Mr. Herbert, who was Minister for War in 1851. I happened to turn to his life, a most interesting book, which is written by Lord Stanmore, to see if anything was said about the Militia, and I found the following passage, which, coming from the Minister for War of the day, ought to have a material bearing. Mr. Herbert, in a circular letter to the Cabinet, speaking of Militia recruiting, said—

> "I have slowly and most unwillingly arrived at the conclusion that here again our true policy is to return to the old traditional system, and to the practical execution of the law as it now stands."

That was the law as it stood then, and as it stands now, *i.e.*, the ballot.

> "With our jealousy of a standing Army we have never permitted conscription for the Queen's Forces, but time out of mind we have ruled that all males capable of bearing arms are liable to be called upon for the defence of their country. The ballot is now the law of the land. By merely abstaining from an exceptional proceeding with a view to its suspension, the ballot comes into operation."

And his biographer, at page 396, says—

> "Disappointed though he was in his hopes of establishing the Militia on what he thought a proper footing, Mr. Herbert never abandoned the intention of ultimately effecting what he desired, and never ceased to insist on the importance of recognising the Militia as the great reserve force of the nation, second only in importance to the Regular Army, though to be used for home service and home service only."

Coming from such a man as Mr. Herbert this is very valuable testimony. These are the opinions of the past. Have I none as regards the present? I wrote to Lord Wolseley, that distinguished soldier, asking him to come and give me a hand in this matter, and I received this letter in reply. Upon its receipt I wrote to Lord Wolseley, asking him if he had any objection to my making use of it in your Lordships' House, and he replied that he had no objection whatever. I will, therefore, read what Lord Wolseley says. He wrote—

> "I feel much flattered by your note and the request it contains, but I am not equal to the attempt. England can never have an efficient Army, during peace, and she must, therefore, accept the rebuffs and calamities which are always in store for the nation that is content to follow the breed of cowards who usually direct her great affairs. The day will inevitably come when she will violently and suddenly lose her former fighting renown to such an unmistakeable extent that the plucky fishwives will march upon Downing Street, and, if they can catch its usual inmates, will rend them. One Party is as bad as the other, and I hope and pray that when the national misfortune of a great defeat at sea overtakes us followed by the invasion of England or Ireland—very possibly the latter—that John Bull will turn and rend the jawers and talkers who prevent us from being prepared to meet invasion. It is not Mr. Haldane I find

fault with. He acts *more suo*, or I should rather say, after the manner of all of our War Ministers. It is the British people who are to blame, who prefer the politicians, who pretend to scoff at the possibility of invasion, and refuse, in their stuck-up folly, to regard the warnings which the great Duke left this nation as a legacy. Mr. Tobias Jones, M.P., and the Smiths and Robinsons, all busy to make money, profess to laugh at danger, and ignorant John Bull makes haste to admire their wisdom. However, he would not listen to our great fighting Duke, so poor fry like me must content ourselves with the silly, selfish prayer of 'Not in our time, oh Lord.' The mob who now rule England are taught by their leaders to regard men like you and me who would warn them of their danger as male Cassandras; at any rate, they won't believe us. The people prefer those who assure them of 'Peace, perfect peace!' The invasion of England has been at all times a favourite military problem with me. I have studied it in all its phases since the day, when, as a boy, I cut from the newspaper the warning contained in the Duke of Wellington's letter to Sir John Burgoyne on this serious subject. However, the Navy, always afraid their building programme for the year may be cut down, keep assuring John Bull that England is quite secure as long as her Navy is powerful. I should like to see our Navy half again as strong as it is, but still, to be quite secure against invasion, we require a strong defensive Army also. Our great Duke said that England was now joined to France by an 'Isthmus of steam.'"

The other letters that I have received are more or less in the same strain, but the opinion I have just read is one of the best opinions you could have at the present time on the necessity of our Army for home defence.

Lord Wolseley referred to the Navy. That leads me to say a word about that line of defence. Mr. Haldane has plunged head over heels into the blue water. He followed Mr. Balfour's example, and he is floating about in it now, and boasts of it. Last week there was a discussion at the United Service Institution on the question of the efficiency of the Navy, and Mr. Bellairs, a naval man and a Member of Parliament, read a paper thereon. Admiral Harris was in the chair, and among those present were Admiral Freemantle and a great many soldiers and civilians. Here is an account which a gentleman who was present has given me of this meeting—

"During a two days debate last week, not only the lecturer but also every speaker, naval, military, legal, and lay, most definitely asserted that we were courting future naval disaster, and that Tweedmouth's Navy would prove as broken a reed as Haldane's Army. Not one attempt to justify our present trust in Providence or in Party was made during those two days."

Besides these opinions and the opinion of Lord Wolseley, we know that Lord Roberts is strongly of opinion that you must have compulsion for home defence. Then there is the Duke of Norfolk's Commission. What was that Commission appointed for? It was appointed to look into the efficiency of the Auxiliary Services, the Militia and the Volunteers, and what did the Commissioners report? They reported that these services, as at present constituted, are not to be trusted. And yet Mr. Haldane takes the Volunteers as the base of his cone.

As against the authorities I have ventured to quote, what is there to be said? Nothing. The Party politician knows as well as possible that every word I have read to the House is true; that every opinion given by generals and other experts, that you cannot have a sound system unless it i. on a sound basis, with compulsion for home defence, is true. That is known full well. As regards Mr. Haldane, I hope I have said nothing to give him offence. Certainly nothing would be further from my wish than to do so. The best proof I can give of that is that I have in my hand a letter which I wrote to Mr. Haldane on the 1st of January last, the substance of which was that all his predecessors had failed. Why? For want of courage to ask for those compulsory powers which the Government have and ought to exercise. That was the tone of the letter I wrote to him. I said they talked about the problem of the Army, but there was no problem. The problem is simply this: There is my hat; I want to cover my head. I have only to stretch out my hand and put it on. You have this Militia power. You have only to use it and your problem is absolutely solved. But there is not the courage to do it. I hope the Government will think very seriously before they touch the foundation of our military system; that they will think seriously before they alter the terms of service in the Militia, because, if they do alter it, they will lose for ever the power of compulsion for Home defence, however much we may need it in the future.

This House last year passed a very sensible and wise Resolution. It passed it unanimously, so that my noble friend and all those noble Lords who sit on the front Ministerial bench are as responsible for that Resolution as anyone who sits on these benches. What did that Resolution say? It said that you must not trust to the Navy alone for Home defence, and that this nation should always be in such a state of Home defence on land that no foreign nation would, at any time or in any form, attempt a hostile landing on our shores. What I should like would be that this House and the country should test the Army scheme by this Resolution. I hope, if this Bill ever comes into your Lordships' House, that the noble Marquess the Leader of the Opposition will defend our existing military system, which, as I have said, rests upon compulsory service for Home defence. I hope he will defend it to the death, and that your Lordships will back him up to the full extent. And if he takes that line the noble Marquess will be simply defending a power with which, as he stated in this House when he was Minister for War, he would not readily part with.

*The UNDER-SECRETARY OF STATE for WAR (The Earl of Portsmouth): My Lords, my noble friend Lord Wemyss has again reverted to a subject which, in his hands, always seems to borrow an air of eternal freshness and youth, but which is not a novel one in this House—the subject of the Militia ballot. I gathered from the speech of my noble friend that he is as strongly in favour of the Militia ballot now as he has ever been.

*The Earl of WEMYSS: And as you are at heart.

*The Earl of PORTSMOUTH: I must respectfully differ from my noble friend on that point. I do not think it is necessary this afternoon to enter at any length into the history of the Militia ballot. It is quite clear in your Lordships' recollection that the Government of Mr. Balfour introduced a Bill of that kind, and then dropped it; and in dropping that Bill they announced to your Lordships that they were going to appoint a Commission to inquire into the efficiency of the Militia and the Volunteer forces. That Commission was presided over by the Duke of Norfolk, and I noticed that my noble friend referred to the Commission in terms of confidence and approbation. I should like to remind your Lordships what the Norfolk Commission said respecting the Militia ballot. They said—

> "We have paid close attention to the evidence laid before us dealing with this subject, and have formed the opinion that the Militia ballot is unsuited to the modern conditions of the country and that its irregular and unequal incidence would be felt as an injustice."

They went much further than that. They realised the fact, which I think was hardly sufficiently strong in the mind of my noble friend, that, supposing this country could be successfully invaded by a Continental army, the reasonable presumption would be that the troops sent here for that purpose would be the best troops that could be obtained on the Continent. The Norfolk Commission realised that, and they went on to say that the Militia could not be relied upon to defeat an invader without substantial help from the Regular Army, and they expressed the opinion that to enable the Militia to confront with any degree of success the well-trained forces of a Continental army it would be necessary that the Militia should be trained for a period of continuous service with the colours on the model of Continental conscript armies, and the period they suggested for that purpose was in no case to be less than a year. With all deference to my noble friend, I maintain that, so far as practical politics are concerned, conscription is out of the question.

*The Earl of WEMYSS: You mean conscription for the Army?

*The Earl of PORTSMOUTH: I say that conscription for the Army is out of the question.

*The Earl of WEMYSS: Hear, hear.

*The Earl of PORTSMOUTH: As the noble Earl stated, the Militia have always served abroad in time of war. They served with distinction in the Peninsula; and I do not think it is fair to the Militia that it should be implied that the fact of making them liable to serve abroad would materially affect recruiting for the Militia. As regards the Peninsular War, to which my noble friend has made some reference, what did Lord Castlereagh say in 1813? He said—

> "We could not have kept possession of Portugal or have sent forces to co-operate in the deliverance of the Peninsula at large, and taken up that menacing position on the frontiers of France which our Army now occupies; we should have been shut up within the bounds of our insular policy, and could not have borne our share in the general exertions which have been made for the deliverance of Europe, were it not for the Militia. We should bear in mind that it is to the Militia we owe the character we at present enjoy in military Europe, that without the Militia we could not have shown that face which we have done in the Peninsula."

Then, again, what happened in the Crimea? Fifty regiments of Militia volunteered for service abroad and ten regiments were sent to Mediterranean stations. Then I come to more recent times. In the face of what happened during the South African War, can my noble friend say that if the Militia were made liable for service abroad such a liability would interfere with recruiting for the Militia? Most interesting evidence was given before Lord Elgin's Commission on the War. General Borrett, Inspector-General of Recruiting and Auxiliary forces, said, in his evidence before that Commission:—

> "Very strict orders were given to Generals to the effect that in every district where a Militia regiment was going abroad the General should personally see it on parade and ask the men whether they quite understood the terms—that there was no compulsion, that everything was quite voluntary, and that if any man did not wish to go no questions would be asked."

Why, then, does my noble friend imply that making the Militia liable for service abroad would interfere with recruiting for the Militia?

THE EARL OF WEMYSS: You cannot have compulsion if you make them liable for foreign service. That is my point.

*THE EARL OF PORTSMOUTH: What happened in regard to South Africa? At the outbreak of the Boer War the actual strength of the Militia was 98,000, and during the war, which lasted three and a half years, altogether 98,000 Militiamen served, of whom 14,000 were Militia Reservists, who were liable in any case to go abroad, and who were part of the ordinary reserve of the Regular Army. But the remaining 84,000 served voluntarily, and they were made up as follows—40,000 volunteered and were drafted as individuals into the Regular Army, and 44,000 went out in their own regiments. As a matter of fact, my Lords, there is no evidence to show that liability for foreign service weighs very much one way or the other with the Militia recruit. I am inclined to think that the power of the Government which now exists to embody the Militia goes a very long way, and is in many cases equivalent to the power to order them abroad—for this reason, that a Militia battalion when embodied would naturally prefer to go to the front than to be ordered for nine or twelve months to be placed in some garrison town away from their homes and their work.

Then, again, I think the evidence goes to show that Militiamen join for pay, food, and clothes, and do not study minutely the terms of enlistment. As an evidence of this it is a very remarkable fact that from 10,000 to 12,000 Militiamen pass annually from the Militia into the Regular Army. As another evidence of that, we have the very interesting results of an experiment which has been recently made—the experiment of extended training for six months instead of the old training for six weeks. I have had the figures looked into, and I find them very striking and eloquent. In the thirteen battalions in English Commands, taking the two principal months of the year for recruiting, September and October, and comparing them with 1905, I find that 364 recruits have drilled on enlistment in September, 1906, as compared with 209 in September, 1905, and 534 recruits in October, 1906, as compared with 366 in October, 1905. It shows, therefore, that there is a very strong inducement for the men to adopt the extended training, which certainly must make better soldiers of them than if they were drilled for six weeks only. I should also like to allude to the fact, which has a bearing upon the larger question, that the employment of these men for six months has in many cases a very useful and valuable effect on the local labour markets.

It is perfectly true, as my noble friend has stated, that when I learned that he was going to curtail his enjoyment of Scotland to come up to your Lordships' House and make a speech on this subject, I informed him that I was afraid that, as the position of the Militia in Army reorganisation was still under consideration, I should not be in a position at the present moment to make any definite statement to the House. But in any scheme of Army reorganisation—and I hope my noble friend will not think I am speaking with any want of courtesy to him—I am afraid the functions of the Militia as implied in the speech of my noble friend are certainly obsolete. And for this reason, that we do rely upon our Naval supremacy for defence against over-sea invasion, and we rely upon our Volunteers against raids.

THE EARL OF WEMYSS: I should like to ask the noble Earl, what is a raid?

***THE EARL OF PORTSMOUTH**: A raid would be a landing of a force of, say, 10,000 men.

LORD LOVAT: How many raids constitute an invasion?

***THE EARL OF PORTSMOUTH**: I take it that by an invasion one means the pouring into a country, as we did into South Africa, unchallenged and unopposed, a steady stream of troops. The idea of a raid is something sudden, which would do a great deal of harm if the raiders attacked and destroyed any of our great arsenals, but it would not be in that case an invasion. We do rely upon our naval supremacy for defence against over-sea invasion. Otherwise our naval expenditure, which has grown from over £17,000,000 in 1894–5, when it was less than the cost of the Army, to, in 1904, nearly £37,000,000, which is borne by British taxpayers, cannot be justified.

THE EARL OF GALLOWAY: What is the cost in the case of Germany.

***THE EARL OF PORTSMOUTH**: In 1904 the cost of the German Navy was £7,500,000. The total cost of the German Army and Navy amounted in that year to £36,287,000. The total cost of our Army and Navy was £65,720,000. These figures show very eloquently that there is a strong case why the taxpayers should insist upon some reasonable economy in regard to the whole of this question of military defence. If we cannot rely upon the Navy, then the expenditure which is incurred is an unjustifiable burden. It must be remembered, as I have said, that this expenditure incurred in the defence of the Empire falls, not upon all parts of the Empire, but upon the taxpayers of this country.

In any scheme of Army organisation the Militia must, speaking generally, either become practically part of the volunteer forces or develop into a support to the Regular Army, and to the striking force of 150,000 men; and if the Militia is to become a support to the Regular Army, those who are interested in, and have the confidence of the Militia, must be prepared to make some concessions as to their going out in their units. War developes a number of possibilities which the most acute forecast of military and naval experience, insight, and knowledge cannot possibly cover. And, therefore, if we are to be able to make use of the Militia as a support to the Regular Army we must not be tied down by any rule that we can never use it, unless we send it out in battalions. My noble friend, in the course of his speech, used the phrase "the constitutional force." I have never known exactly what the meaning of that phrase was. When the Militia was supported by the rates the localities had a special claim on it for local defence, but ever since 1874 the charge of the Militia has fallen upon Imperial taxation, and, that being the case, it is surely only reasonable that the Militia must be used in accordance with the requirements, not of local, but of Imperial, defence.

THE EARL OF WEMYSS: I do not object to that.

*The Earl of PORTSMOUTH: I differ entirely from my noble friend, and believe that the making of the Militia liable for foreign service would in no way act as a deterrent to recruiting. It is said that as the Militia served abroad voluntarily, why do we want compulsion? If Militiamen are made liable for service abroad it is only in order that the War Office should be able, in drawing up any plan, to know what force it can absolutely rely upon. My belief is that the Militia as a body desire to become part of a practical scheme of Imperial defence, and if, as I believe, that is the case, I trust they will assist us in arriving at some reasonable arrangement and compromise on the drafting question which may be acceptable to the reasonable claims of the Militia as a county force with a strong local sentiment, and to the imperial, and, I hope I may say without offence, the imperious necessities of the War Office in times of national emergency.

Lord LOVAT: My Lords, I will not occupy the time of the House for more than a minute or two, but I do not think we ought to let some of the statements of the noble Earl go unchallenged.

The noble Earl has given us a strategic forecast of the possibilities of invasion. There is nothing relating to that in the notice on the Paper, but still the noble Earl has volunteered a statement on that subject. He has clearly indicated that our policy of defence is in a complete state of chaos, for he intimated that the position of the Militia in the scheme of defence had not yet been assigned. This, perhaps, was no news to many of us. But the noble Earl went on to say that all we need fear are raids, and that raids must necessarily be confined to 10,000 men and would only be made on strong places.

*The Earl of PORTSMOUTH: I said that a raid would be of no value to the enemy, as it could do very little damage to us unless it were to destroy a great arsenal.

Lord LOVAT: Why are three or four raids of 10,000 men each on, say, the broad coast of Norfolk or the south coast of Scotland impossible? If 10,000 men in one body may raid us, why should not four bodies of 10,000 men each land at distances of ten miles apart. It must be remembered that there are 182,000 tons of shipping in German ports at any day in the year, and that the Hamburg liners can carry 7,000 men apiece. I really must protest against the theory that all we need fear is one raid, and that it would necessarily be made on one of our fortified places.

The Duke of BEDFORD: My Lords, I cannot agree with the Motion of the noble Earl. It seems to me that the defence of our vast continental Empire demands that some portion of the Auxiliary Forces should be enlisted for the purpose for which they must be used —namely, Imperial defence. If that is the case, then the Auxiliary Forces must in future be divided into two parts. One division would consist of troops who enlist for foreign service, and upon whom a considerable expenditure would be justified. The other division would be composed of bodies of men who enrol themselves for home service only, and upon whom a large expenditure could not be recommended.

The question is, in which division ought the Militia to be placed? If, as the noble Earl desires, the Militia is retained for home service, then it must be combined with the Volunteers in the home service division of the Auxiliary Forces. Statements have recently appeared in the public Press advocating the amalgamation of the Militia and the Volunteers. It seems to me impossible successfully to combine an unpaid civilian force not serving under the Army Act, like the Volunteers, with a paid military force, serving under the Army Act, like the Militia. If the combination were effected it means that the Militia must approximate as closely as possible to the existing conditions of the Volunteer service; that is, be levelled down and become a purely civilian force.

My objection to this plan is that if once the Militia is changed into a purely civilian force, that form of military service which has so long been known as the Militia will be gone, and for ever. A most valuable asset of military service, capable of being employed for Imperial defence, and one which is essential for the maintenance of the Regular Army, would be sacrificed. But His Majesty's Government have announced a Bill for enlisting the Militia for foreign service, a measure which would place the Militia in the foreign service division of the Auxiliary Forces. The Militia would remain closely linked to the Regular Army. A definite function would be assigned to the Militia, and the whole *status* of the Militia force would at once be raised; and, above all, that expenditure which is necessary to make the force efficient would be justified, because the Militia would render an adequate return in the form of Imperial service. I sincerely hope that His Majesty's Government will proceed with the Bill for enlisting the Militia for foreign service at an early date.

THE EARL OF DONOUGHMORE: My Lords, I know that a very important Bill awaits the consideration of your Lordships, and I will promise not to detain you for more than three or four minutes. I am sure your Lordships would desire this discussion to close. As regards the notice standing on the Paper in the name of the noble Earl, I cannot help remarking that it is not a Motion, although it has been several times referred to as such. It is merely a notice to call attention to this matter. As regards the first two points raised by the noble Earl, my views are embodied in what has been said by the noble Duke behind me. I sincercely hope His Majesty's Government intend to go on with the policy they have announced of making the Militia an Imperial force liable to take its share in the defence of the Empire.

THE EARL OF WEMYSS: How about compulsion if you do that?

THE EARL OF DONOUGHMORE: The noble Earl has taken the words out of my mouth. I was astounded to hear his question as to what a raid was. I may have been taught history the wrong way, but my elementary history books taught me that the foundation of all great families who live in a certain part of Scotland was laid by continual raids on the cattle and property of their neighbours, and I should have thought the noble Earl, coming from that part of Scotland, could have informed us from his hereditary knowledge better than anyone else what a raid is. I wish to protest most strongly against the assumption that because you make the Militia liable for service abroad you are thereby tying your hands and rendering it absolutely impossible in the future to put the ballot in force. If ever the Government of this country came to the conclusion, as I sincerely hope they never will, to put the present Ballot Act into force, they could perfectly easily do it by raising a Militia for service at home by ballot, without in any way interfering with the Militia made liable for service abroad. I hope that we shall never live to see the necessity of raising a Militia by ballot. Ballot is by far the most objectionable form of compulsory service. It has been described by the present Prime Minister as a combination of the press gang and the roulette table, and though, perhaps, that was rather a picturesque description, it has nevertheless some truth at the bottom of it. The feeling held by the Prime Minister does not exaggerate the objection I have to the Militia ballot, and I sincerely hope we may never see the necessity for its use in this country.

THE EARL OF WEMYSS: I desire to thank my noble friend Lord Portsmouth for having supported my argument. He said that the Militia were ready to go anywhere. That is what I say. Then why alter its constitution? My noble friend Lord Donoughmore wants to alter it because he thinks it is not suited to the time; but, if you get all you want under the present arrangement, why change it? In the words of Lord Melbourne, "D—— it, why can't you leave it alone?" Then, as regards the Norfolk Commission, they advocate universal service, which I should resist to the death. It is not wanted. You have a perfect system in the ballot for the Militia. As to the point about raids, the Resolution which your Lordships passed last year declared that it is unwise to trust the Navy alone for home defence, and that this nation should always be on land in such a state of permanent defence that no Power would ever attempt in any form a hostile landing on our shores. Having given our assent to that Resolution, that is the standpoint from which we should regard any revolutionary measures.

PLURAL VOTING BILL.

[SECOND READING.]

Order of the day for the Second Reading read.

EARL BEAUCHAMP: My Lords, I rise to move the Second Reading of a Bill for the abolition of plural voting. Your Lordships may remember that this is one of the Bills which were promised in the Speech from the Throne, and it is introduced in accordance with that promise. I am afraid that the idea of a mandate is not a very popular one in your Lordships' House, but I think it is only right to point out that this is a measure which was largely discussed in the country before the last general election, that it was mentioned in nearly every election address issued by Liberal candidates, and not only was it mentioned in a great many election addresses, but without exception it was mentioned in the course of every campaign and in most of the speeches which were made by the successful Liberal candidates.

It is a Measure upon which the Liberal Party speaks with no uncertain voice, and the Bill itself has passed both its Second and Third Readings in another place by very large majorities. It is not a Bill with which this House really has direct interest, because none of your Lordships are or ever possibly can become plural voters; nor does it in any way concern the constitution of your Lordships' House. The Bill itself is a perfectly simple one. There is the one principle, and a good deal of machinery to carry out that single principle. Of that machinery I think I ought to say this on behalf of the Minister who had charge of the Bill in another place, that he met every possible objection which was made by the friends of noble Lords opposite, and that a great deal of the complication in the machinery of the Bill as now presented to your Lordships is due to his anxiety to meet the various points raised by his opponents. I think I may say that His Majesty's Government were very tender indeed to every objection which was taken, and were only too anxious to meet in every possible way any hard case which might occur under the Bill; and I am sure the attitude of His Majesty's Government would be the same in this House as in another place.

Your Lordships will see that the first clause lays it down that no voter should vote in the course of twelve months in more than one constituency. The idea of imposing that disqualification is that it is, in the opinion of the Government, very desirable that the voter should make up his mind beforehand, so that in the event of a general election following after a by-election it should not be possible for a large number of persons to transfer their votes without giving due notice. The penalty imposed is that to which anyone is liable who has been guilty of personation, but instead of imprisonment, which is at present the punishment for personation, power is given to impose a fine not exceeding £500. Then I think I should draw your Lordships' attention to the fact that, throughout, the words "knowingly and with the intention of evading the provisions of this Act" are put in; so that no person who votes in the old way under some misapprehension could be in any possible circumstances punished. The punishment will only apply in the case of those people who do it knowingly and with intent to defraud. Then there is the further possibility that the voter shall choose his own constituency, and either select once a year or once for a lifetime in which constituency he shall vote

Upon the principle of the Bill I think I should say this, that it is an attempt to adapt to Parliamentary elections the principle which is already in use in county council elections. Therefore it is in no sense an innovation in our law. Further, I may say there is not one of our Colonies in which these anomalies prevail at the present time. As the Amendment of the noble Viscount points out, there are a number of anomalies in our electoral system. There are, I think, no less than seventeen franchises. This Bill does not propose to abolish or to add any franchise. It is in the direction rather of the removal of one of these anomalies. Nothing could be more illogical than the present system, for it is not purely a property qualification. It happens to depend upon whether an individual has all his property within a ring fence or not. If he has all his property in one constituency, he has only a single vote; but if he has the misfortune to have his property scattered all over the place in different parts of the country, then it is that he has a number of votes. It so happens that very often those people who have many votes have less property than those who have only one vote. That, I think, is quite clearly an anomaly, and it will be acknowledged even by those of your Lordships who would support a property qualification.

I come to the Amendment of the noble Viscount, and I hope I may say how glad I am that it is not to be moved by a Member of the late Government who was concerned in the redistribution proposals which were introduced last year. Those redistribution proposals were merely in the direction of making confusion worse confounded, and would have introduced still another difficulty in an already difficult electoral system. The noble Viscount, however, was in no way concerned with those proposals. He has put on the Paper an Amendment showing that he considers that in the Bill now before your Lordships there are certain sins of omission as well as of commission. He invites your Lordships to declare that you are willing to consider a complete scheme for reforming the franchise, and also to secure the fair representation of the people; and he ends by saying that this Bill does nothing to remove the most glaring inequalities in the present distribution of electoral power. This is the position. His Majesty's Government offer to your Lordships a Bill which does introduce one single reform. The proverb has it that half a loaf is better than no bread; but that is not the position of the noble Viscount. He says he will have four loaves or none at all.

I should like to congratulate noble Lords opposite upon their sudden passion for reform, were it not that I feel that it is not a passion which is likely to live very long, but that as soon as it has served its purpose and the debate is finished we shall hear no more about it, and the question will return to that condition of neglect in which it was left for so many years by noble Lords opposite. The Amendment to be moved by the noble Viscount without doubt offers us a vision of an electoral Utopia with which many noble Lords on this side of the House will have considerable sympathy. I am glad to think we have a special expert in Lord Courtney, who, I hope, will address your Lordships on this subject, because he is particularly well able to tell your Lordships something of the subject of electoral reform. We also have our ideas with regard to that matter. We would wish to see the suffrage based rather upon citizenship, and that an individual who has a stake in the welfare of the country, whose happiness and welfare are bound up in the prosperity of the country, should have an equal opportunity with everybody else of giving a vote on the great questions of the day.

What I wish specially to point out to the noble Viscount is that this Bill is a practical step in the direction which he invites your Lordships to go. It is only one, while the noble Viscount demands four. But let me put it to him purely as a practical question. Supposing the usual custom is adopted, and towards the end of the present Parliament a redistribution proposal is introduced and Commissioners are invited to make a scheme for a redistribution of the various constituencies; supposing, also, which I think is probable, that the abolition of plural voting is arranged for at the same time; will it not, as a matter of practical convenience to the Commissioners, be very much to their advantage that they should know where it is that these voters propose to exercise their power of voting? If this is all done at the same time, the Commissioners will not know where it is that these plural voters intend to vote, and, therefore, it would be very much more difficult for them to distribute the voting power equally between the different constituencies.

The average number of electors for every Member in the House of Commons is 10,845, and a Redistribution Bill would probably place the average at not less than 11,000. If the figure is to be 11,000, let me take an average county division, that of the Harborough Division of Leicestershire. There are 17,227 people registered to vote in that division. If the average number is to be 11,000, that looks as if the Harborough Division would have to part with 6,000 of its voters. But, as a matter of fact, 3,452 of those electors reside and have votes in other constituencies, and in the event of this Bill being passed it is not unlikely that they would prefer to vote in another constituency; so that the electorate of the division would be reduced to just under 14,000, and it would be only necessary for the Commission to deprive the constituency of some 3,000 electors. It is most difficult to construct a Redistribution Bill which would not aggravate the present anomalies. until the effect of the Plural Voting Bill has been ascertained. That is, of course, provided that you still intend to give the plural voter the privilege of choosing where he will vote. There will always be the danger that it will be impossible to continue that privilege to him if you insist on postponing this reform until the last moment.

In the Pudsey Division of Yorkshire there are 2,674 more Parliamentary electors than there were inhabited houses according to the census of 1901. In that division there are 6,577 ownership electors, because the freeholders of Leeds vote in that division. Any Redistribution Bill which was drafted at the same time as the passage of a Plural Voting Bill would probably arrange to take 4,000 voters away from the Pudsey Division; but when the Plural Voting Bill comes into operation it might need to have some additions made to it. One division of Lancashire has 24,326 electors—2,000 more than the average for two divisions, but there are nearly 7,000 ownership electors, a majority of whom would not be unlikely to wish to vote elsewhere. Those are two or three characteristic instances which I hope will show the noble Viscount opposite how difficult it would be to carry out the proposal to bring all these matters into a single Bill.

There is only one other matter in the noble Viscount's Amendment to which I wish to call your Lordships' attention, and that is the condemnation of this Bill as indirectly destroying ancient and important constituencies. I do not think that was in any sense the intention of His Majesty's Government. I suppose the noble Viscount chiefly refers to the University Members. I do not think the argument for University representation has ever depended upon mere numbers. I think it has rather been the quality of the electors than the quantity which has persuaded people to support the representation of the Universities in Parliament and, therefore, I can assure the noble Viscount that, so far as this Bill goes, I do not think it will in any way destroy the argument for the representation of the Universities. I cannot help hoping that the noble Viscount will see his way to withdraw his Amendment and allow the Bill to pass. This Bill is, after all, only a moderate measure of reform, and it is one step in the direction of that larger scheme which the noble Viscount has himself outlined in the Amendment.

Moved, "That the Bill be now read 2ª."—(*Earl Beauchamp.*)

*VISCOUNT ST. ALDWYN, who had given notice, on the Motion for the Second Reading of the Bill, to move—

> "That this House, while willing to consider a complete scheme for reforming the Parliamentary franchise and securing the fair representation of the people, declines to take into consideration a measure which, while professing to remove an anomaly in our electoral system, imposes penalties on persons registered as voters for exercising the franchise with which they are entrusted by law, indirectly destroys ancient and important constituencies, and does nothing to remove the most glaring inequalities in the present distribution of electoral power,"

said: My Lords, I think there is a good deal to be said by anyone who has watched the working of the seventeen complicated franchises which, as the noble Earl has stated, have been established with regard to Parliamentary voting in this country by the numerous Reform Acts, and who has also noticed the trend of popular opinion, in favour of a great simplification of our Parliamentary franchises; and I should not for a moment deny that in considering any such simplification it would be necessary also to consider the question of the continuance of plural voting. Nor am I at all prepared to quarrel with what the noble Earl has said as to the extent to which the principle of one man one vote has been adopted by the Party which is represented in this House by noble Lords opposite, or has been accepted by a large majority of those returned to the House of Commons as representing that Party at the last general election. But I do venture to demur to the inference which the noble Earl draws from those premises, that His Majesty's Government have any mandate for dealing with this subject alone in this Bill or for the mode in which it is sought to deal with the question of plural voting.

It is quite true that the Bill was passed by large majorities in the House of Commons, but it was passed, I am sorry to be obliged to remind the noble Earl, by one of those exercises of forcible suppression of debate with which we are, unhappily, now becoming too familiar. He has reminded your Lordships that this is a matter which affects primarily the constitution of the other House. That is quite true, and I can quite conceive that in the present, as in the past, your Lordships might be disposed to pay great deference to the decisions of the House of Commons with regard to the details of the Parliamentary franchise. But, my Lords, there is one great principle which this House has maintained, I believe, ever since the passing of the great Reform Act of 1832 with regard to Parliamentary reform, and it is this, that when the time comes to reconsider the Parliamentary franchise the question of Parliamentary reform should be dealt with as a whole.

That principle was last established when in the years 1884–5 the latest Reform Act was passed by the Legislature. Many of your Lordships can remember the occurrences of those years, and it will be only necessary for me very briefly to recall them to your recollection. There was in the year 1884 a County Franchise Bill, instituting household franchise in the counties, introduced by the Government of the day. That question had been for many years previously discussed in the country. It was at the time the chief plank of the Liberal platform, and the principle of it was objected to by very few persons during the discussion of the Bill in either House of Parliament. The Bill that your Lordships have now before you is a petty measure of disfranchisement; that was a great measure of enfranchisement. This House was told that there were 2,000,000 of capable citizens whose wants and wishes had not been sufficiently considered by Parliament in the past because they were not represented in the House of Commons, appealing to be admitted to the privileges of the Constitution, and it was warned that if it even delayed compliance with that appeal terrible results would ensue. I shall venture to quote to your Lordships some remarkable words that were used on that occasion by no less a person than the noble Earl who generally sits on the cross benches, and who has since that time been Prime Minister of the Queen. Lord Rosebery argued that if the House of Lords delayed compliance with the request of those 2,000,000 of would-be electors, there would be an agitation in the country of a violent and terrible kind which would attack the foundations of this House; that a conflagration would be stirred up of which no one could pretend to see the limits; that this House was standing by a precipice if not hurrying to it, and he implored the Lords to pause before they passed a Resolution against the Bill which might strike a fatal blow at their existence.

Those were the lurid prophecies of that time. They were reinforced by more solemn warnings from the older statesmen of the Party. What happened? This House set aside that Bill, important as it was, by adopting an Amendment very similar in its effect to that which I am about to submit to your Lordships. What happened then? Nothing at all. The same Bill was introduced in the following year, and then at last the Government of the day, headed by Mr. Gladstone, listened to counsels of wisdom and moderation. Both sides conferred upon the matter, the question of Parliamentary reform was settled in a complete measure with general consent, and that settlement has lasted to the present day. I think it possible that the events of those two years, if carefully considered, may not be without some lesson to all of us at the present juncture. But, however that may be, so far as regards the question of Parliamentary reform, it is absolutely certain that your Lordships on that occasion successfully established at a very critical moment the great principle that the question of the Parliamentary franchise and the redistribution of seats, when dealt with, must be dealt with as a whole.

The noble Earl has congratulated me upon not having been responsible for the Redistribution scheme of last session. I am bound to confess that in my opinion that scheme did offend against the principle which I have just quoted. It came to nothing. This Bill will also come to nothing, and I think it will deserve its fate. When the noble Earl talked about what might happen in the future if your Lordships were to give your assent to this Bill, I noticed that he very carefully avoided any promise on the part of His Majesty's Government that a Redistribution Bill would be introduced at any time in either House of Parliament. He said that "supposing" such a Bill were introduced, then this Bill, if passed, would afford a useful basis for Commissioners to allocate the proper Parliamentary representation of the country, because until it had become law and been in operation a little time, it would be impossible to tell how many electors there would be in any particular constituency. The noble Earl entirely forgot that all our Redistribution Acts have been based, not upon electors, but upon population, and I believe that whenever the question of redistribution is taken up by Parliament, the allocation of seats will be dealt with as before, on population and not on electors.

Now, what is the proposition which it is sought to establish? It is not merely that His Majesty's Government desire to abolish the abuses of the faggot voting system. The faggot voting system received a deadly blow when constituencies were largely increased by the Act of 1885, and that Act also contains some valuable provisions for preventing the most glaring abuses in the manufacture of that franchise. Faggot voting might be absolutely put an end to if the Legislature would make a reform which would be useful for many another reason—namely, if it would shorten the duration of a general election from one month to a week or ten days. But that is not what His Majesty's Government have in their minds. They have—I do not really quite know why—adopted this as an eternal principle of justice, that, in the choice of the House of Commons at a general election, no elector ought to give more than one vote. I can only say that it is a principle absolutely alien to the constitution of our Parliament. From the very beginning of our Parliamentary institutions it has always been the rule that the depositories of political power have not been the electors at large, but the electors grouped into particular constituencies, and it is impossible to secure the complete representation of all the interests in any particular constituency if you are going to eliminate from that constituency not a few, I daresay in many cases, of the principal owners of property, employers of workmen, residents, and other persons interested who may be voters elsewhere, and may choose to exercise their franchise elsewhere if this Bill becomes law. If plural voting is put an end to, it seems to me that a blow will be struck at the very root of our system of choosing the House of Commons through particular constituencies.

I see the noble Lord, Lord Courtney, opposite. Would he not find, in such an event, a strong argument in favour of his view that you ought to endeavour to secure that the House of Commons should be a more complete mirror of the opinion of the nation by some one or other of those systems of proportional representation to which he has given so much time and attention? I do not myself believe that the country will ever depart from the system of particular constituencies in favour of the system which the noble Lord has so much at heart. But if it does not, what then? If you are going to adopt the principle of one man one vote, you must go on with your theories of equality to the principle of one vote one value. The existing system presents infinitely greater anomalies, looked at from that point of view, than any that would be touched by this Bill. How is it possible to defend a system under which, to take a single instance, 2,600 electors in the city of Durham have as much voice in returning the House of Commons as 45,000 electors in South Essex, or under which five English counties, exceeding in population fifteen Irish constituencies, return only five Members to the House of Commons when the Irish constituencies return sixteen? If it was necessary, I could place before your Lordships any number of statistics to show that the great anomaly in our present representation system is not the existence of plural voting, but the extent to which the lapse of time and the changes of population, and other reasons, have made the grossest inequalities between the existing constituencies of the United Kingdom.

But, my Lords, let me turn from the proposition which is the principle of this Bill, the principle of one man one vote, to the manner in which the Bill proposes to carry out that principle. The noble Earl passed very lightly over the machinery of the Bill, and it has hardly been attempted to be defended in the House of Commons except by its author. A Member of the House of Commons, Sir Charles Dilke, who is, perhaps, the greatest authority there on questions of electoral law, and a very strong advocate of the principle of one man one vote, denounced the machinery of the Bill from every point of view, and argued, as it seemed to me quite fairly, that for everybody's sake, if Parliament were to adopt the principle of one man one vote it ought to carry it out, not in the manner proposed in this Bill, but by abolishing all our existing seventeen Parliamentary franchises and substituting a simple residential franchise with a penalty on a man voting twice at a general election. What does the Bill do instead of that? The Bill retains, as the noble Earl has told us, all these existing Parliamentary franchises. The law ensures that every person qualified, whether he likes it or not, whether he knows it or not, shall be placed upon the register perhaps of a dozen constituencies in different parts of the United Kingdom. Having done that at no inconsiderable trouble to the officials of various sorts, possibly even at some trouble to the voter himself, what does this Bill proceed to do? It proceeds to tell the voter that of all the votes he possesses he must exercise only one, and then it puts him to infinite trouble by notices of selection, notices of withdrawal and other action detailed in the Bill, to settle which vote he shall exercise when the time comes; and if, unhappily, after all he acts contrary to the law as laid down in this Bill and gives a vote where the law forbids him to give a vote, he is liable, as the noble Earl said, to imprisonment or to a fine of £500. And for what offence? For an offence, the definition of which really must have been borrowed from some comic opera—for the offence of personating himself.

Knowing the cynical humour of the author of this Bill, the First Commissioner of Works, I cannot help thinking that he must have desired, in arranging to send this extraordinary measure to your Lordships' House just at this time, to give us some glimmer of amusement in the interval between our tedious debates on the Education Bill. These are the remarkable provisions by which it is attempted to carry out the simple principle of one man one vote. No wonder it has been found necessary, in the passage of this Bill in another place, to introduce pages of qualifications, so that the unfortunate voter who does not know, as I believe five voters out of six often do not know, whether he is on a register or not, shall not fall into the meshes of the draconic law which is embodied in this Bill. That is the manner in which the Bill proposes to deal with individuals, who are so unlucky as to have property or residence in more than one place. It not only deprives them of all but one vote, it places them in a position so much worse than that of the voter who is only qualified in one place, that it would be almost kinder to disfranchise them altogether.

I now turn to its general effect. The first point is one of what I may call an electoral nature. It is now the law in large cities which are divided into several Parliamentary constituencies that, although an elector may be registered in every one of those several divisions, he can only vote in one of such constituencies when a general election comes. Now, what is the result of that? In those cities it has become an established practice for astute election agents and registration agents to consider the necessities of their Party in the several constituencies in which the city is divided. If that Party is unnecessarily strong in one of those constituencies, voters are taken off from that constituency and put into another where the forces of both sides are comparatively equal, and there are all kinds of what I may call gerrymandering of this sort, which, if this Bill passed, would, I venture to say, be extended to the whole country; and as in that kind of action the Party always has the advantage which has the longest purse, I submit to your Lordships whether the abolition of plural voting would really be quite so satisfactory to what is called the popular side as noble Lords opposite seem to imagine.

That is not all. The noble Earl referred to the representation of the Universities. He was quite right in thinking that a sentence in the Amendment which I shall propose to your Lordships referred to that matter. University representation is an old established part of our Parliamentary system. It has been extended by Parliament within comparatively recent times to the London and Scottish Universities. I think it would be a very good thing if it was found capable of futher extension to the younger English Universities, and to another University in Ireland. I venture to say that the principle has worked well. I do not mean that University representation is necessary to enable eminent men to be elected to the House of Commons. Certainly not. But it has introduced to the House of Commons, to the great advantage of the country, men who would certainly never have sought election from any other constituency. I need only mention the names of Lecky, Stokes, Jebb, and Foster to explain to your Lordships what I mean, and further, University representation, as it at present exists, enables the voices of certain classes to be heard in the House of Commons which would hardly be heard there but for that system. The clergy of the Church of England, the different branches of the Presbyterian Church of Scotland, the members of the medical profession, all have their views represented, as I think they could only be represented, by University representation. There is, last, but not least, one case which I think never should be forgotten. There is a large and intelligent class of the Irish population which would, in present circumstances, have no voice whatever in the House of Commons but for the existence of Trinity College, Dublin, as a Parliamentary constituency. Therefore, I think, on its merits, University representation should not be abolished. But the noble Earl says, "We do not touch it." No, you do not. If you had the courage to propose to abolish it you would have to do so under a Redistribution of Seats Bill, and if you did propose that, then would arise the question whether what is now sought to be secured by University representation, ought not, if University representation is to be abolished, to be secured in some other way. What is done by this Bill with regard to University representation is to bleed the University constituencies to death. They are to be deprived of all these voters who from property, or residence, or other reasons, might find it necessary to select some other qualification than their University qualification, with the result that the University constituencies would, I think, practically be reduced to the residents and teachers in the Universities themselves, and to a few clergymen or members of the medical profession who might think that in that way they would still retain the special representation to which they attach value, and would, therefore, prefer to select their University vote. The noble Earl said that University representation did not depend upon numbers. I wonder whether he spoke for His Majesty's Government. I wonder how long University representation would continue if the University constituencies were bled to death in that way.

I hope I have said something to convince your Lordships that, in the first place, this proposal to abolish plural voting is in itself but a small part of a very great question; that if dealt with, you must also consider other questions on which it bears which are infinitely more urgent and more important in their nature, and that the machinery by which His Majesty's Government propose to carry out their intentions is about as bad as any machinery could be. I hope that it may be your will to set aside this

Bill this evening. The noble Earl seemed to suggest that I was not sincere in my desire that Parliamentary reform, if attempted at all, should be attempted as a complete scheme. Well, that taunt was pressed in 1884 in every speech from that side of the House against the Amendment which was then moved by Lord Cairns. It was shown to be absolutely unfounded by the result, for in the very next year, when their desire for a complete scheme was fulfilled, the House of Lords passed the extension of the franchise together with the redistribution of seats. I believe the same thing would happen now.

I am sure that your Lordships will never resist the real desire of the people and of the House of Commons for Parliamentary reform. But this I feel with regard to this Bill, that it is not worth the name of Parliamentary reform. It is a mean and petty scheme for disfranchising voters, the majority of whom are supposed, for all I know quite erroneously, to be opposed to those at present in power. If it is destroyed to-night, its loss will be regretted by few beyond the circle of wire-pullers and Party agents who hope to find in it a means of preserving to their Party some more seats than those to which it would be otherwise entitled at the next general election. I beg to move the Amendment standing in my name.

Amendment moved—

> "That this House, while willing to consider a complete scheme for reforming the Parliamentary franchise and securing the fair representation of the people, declines to take into consideration a measure which, while professing to remove an anomaly in our electoral system, imposes penalties on persons registered as voters for exercising the franchise with which they are entrusted by law, indirectly destroys ancient and important constituencies, and does nothing to remove the most glaring inequalities in the present distribution of electoral power."—(*Viscount St. Aldwyn.*)

*Lord **COURTNEY** of **PENWITH**: My Lords, the noble Viscount who has just addressed the House has adduced many reasons for the rejection of this Bill, the force of many of which I readily recognise and with the merits of some of which I completely concur. I suppose the noble Viscount will be successful in securing the rejection of this Bill. Speaking with that anticipation, I may, perhaps, be permitted to deal with the subject of the Bill with more freedom than might be allowable if we were really fighting a doubtful issue. I have said that I assent to much that the noble Viscount has said, but I dissent from his conclusion. His premises are of great force, some of which I would not attempt to controvert, but his conclusion is not one of prudence or of wisdom.

It is true, as the noble Viscount said, that the Bill deals with a comparatively small matter in comparison with many of the important issues to which the noble Viscount adverted; but since it is a small Bill it might be assented to without great inconvenience. I submit to your Lordships that it is especially incumbent upon you to consider whether in the interests of this House it would not be advisable to let the Bill pass. What is the principle on which the Bill is founded? The underlying idea of the Bill is equality of voting power on the part of all entitled to take part in Parliamentary elections. It is the antipathy to privilege which makes such a strong case in favour of this Bill, which has caused its principle to be taken up by every Liberal candidate, and to be adopted and embodied in the representative systems of all our self-governing Colonies. Seeing that it is really a question of antipathy to privilege, seeing that it is conceded that the privilege concerned is of comparatively small value, and seeing that it is apart from all other questions of electoral reform, I strongly urge your Lordships to consider whether the possession of real and valuable privileges may not be endangered by adhering tenaciously to small privileges which are of no account and the existence of which excites popular feeling.

Although I admit that the Bill is a small affair, and that its machinery appears to deserve much of the noble Viscount's condemnation, and although I recognise, as he has done, that Sir Charles Dilke, a man of greater authority and with a larger knowledge of the political machinery of our time than any other, has condemned the Bill from top to bottom—admitting all that, would it not be better to read the Bill a second time and then attempt to amend the machinery, so that your Lordships would have shown yourselves ready to abandon privilege and to be concerned only for the efficiency of electoral reform. Though the subject of the Bill is separated from other measures of electoral reform, its passage would not prevent the consideration of the larger questions; indeed, I think it would perhaps accelerate their consideration by tending to remove a temper of prejudice and hostility and to substitute a more open mind and a larger spirit.

I have said that this is a very small matter, and my feeling is that in the rejection of the measure there is some compensation that the interval before the reappearance of the Bill, which we all recognise must ultimately be passed, may be employed so as to lead the mind of the nation to consider the larger questions with which it is not essentially but mechanically connected, and lead to a a better understanding of what ought to be aimed at in that general Bill. The real failure of this Bill lies in its stopping short of the principle of one vote one value, and in not realising that what the promoters of it have at heart, what those electors outside who are keen about it emphatically desire, is the equality of voting power—that each man who is a voter shall have just the same influence and power as his fellow man in bringing about the election of the Representative Chamber. That is what is underlying the great demand for the legislation in this Bill.

But those who believe that this Bill will produce anything like an equality of voting power, even if accompanied by the reforms to which the noble Viscount referred, entirely err in their appreciation of the working of our electoral machinery, and make a great mistake in their anticipations of the future. The equality of voting power which is desired is not principally affected by the disproportionate size of the constituencies. Even with constituencies of the same size from end to end of the Kingdom you would still find that the voting power of those entitled to vote would vary indefinitely and be dependent on chances which that equality of constituencies would entirely fail to remove.

Let me illustrate the general argument by reference to a fact which is within your Lordships' knowledge. At the general election Wales did not return a single Member opposed to His Majesty's Government. It is true that the constituencies of Wales vary somewhat. Cardiff is overgrown; it may be that divisions of Monmouth are larger than some of the more agricultural counties of Wales; but that monotony of representation of Wales did not depend on the inequality in the size of the constituencies in Wales. You have this fact, that the 57,000 voters in Wales who all went to the poll in opposition to the candidates supporting His Majesty's Government did not secure a single Member. Where is the equality of power in the case of those 57,000 voters? It is clear that the electoral power of the minority was nothing. Equality of constituency in Wales would have produced no appreciably different result. One man one vote might be secured; you might abolish plurality of votes; you might equalise the size of constituencies; but the aim which those who are keenest in supporting this Bill have at heart—namely, the securing of equality of power, would not be realised thereby. You must go to something else.

I take another example of the recent general election—an example worth considering. Manchester and Salford returned, as your Lordships may be aware, another monotony of candidates all supporting His Majesty's Government; but 34,000 electors in Manchester and Salford voted for the Opposition candidates. Where is the equality of value in respect of those 34,000 votes? At the previous election Manchester and Salford returned eight Conservative Members and one Liberal; now these constituencies have returned nine Liberals. There was just the same error in regard to the power of the votes on the Liberal side last time as there is on the Conservative side this time. Look, again, at Birmingham. What is the value of the Liberal vote in Birmingham just now? The value of the Liberal vote in Birmingham is a strange thing that has come to pass of late years. The change may be due in some respect to the influence of the distinguished man whose illness we all deplore, but the value of the Liberal vote there is about as imaginary in quantity as the value of the Liberal vote is to a Liberal Irish peer. Your Lordships know exactly what that is.

You will not get the principle of one value at all realised by simply adopting the principle of one man one vote. The monotony of representation to which I have referred does not depend upon the plurality vote. There is another large area which at the last general election departed from its usual normal course. The last general election produced a great tidal wave of resentment—I am not sure that I should not be justified in using the word disgust—which overwhelmed the supporters of the late Government. Whether justifiable or not, that was the feeling which produced the great change which then took place. These tidal waves cannot always be relied upon, and it may be that certain districts in England will in the near future return to their more normal course. I invite your Lordships to consider what has happened at more than one general election in the south of England. The value of a Liberal vote in many of these areas is next to nothing. There was a complete absence of Liberal Members in previous elections in the southern counties of England although there were a large number of Liberal voters there. Kent, Surrey, Sussex, Hampshire, and Dorset, showed an absolute monotony of Conservative Members in borough and county divisions. It was only when one got to the neighbourhood of the Celtic fringe in Devon and Cornwall that one found a small Liberal representation. Yet though the Liberal representation in that area of the country was small, there were many Liberal voters in it. Owing to the present machinery, the Liberal voter had no voice and got no representation in those areas.

It may be said that the inequality of one area is balanced by the inequality in another area, but a little examination of the figures shows that this idea is wrong. The last election showed the utter failure of the distribution which now prevails to redress the inequality of the value of votes in different parts of the country. At the late election 428 Liberals were returned to the House of Commons, as against 155 supporters of the Opposition. If, however, you add together the number of voters supporting the 428 Liberals and the number of voters who supported the 155 Unionists it will be found that the number of voters ought to have secured 327 seats to the Liberals, and the number on the other side ought to have been 256 instead of 155 seats.

A still more striking illustration of the extraordinary failure to reproduce in our representative assembly a true picture of the voting desires of the electorate was afforded by the election of 1895. In that election 481 seats were contested between Unionists and Liberals. The Unionist voters were 1,775,000 and the Liberals voters 1,800,000 — very nearly alike. One would, therefore, be disposed to say that the representation ought to have been nearly divided between the two Parties; but the fact was that out of the 481 seats the Unionists got 279 seats and the Liberals, though receiving the larger number of votes, got 202 seats. This shows the utter failure of the haphazard system of dividing up our political areas in order to secure what we want to produce—namely, a true comparison of the electoral forces of the country.

The noble Viscount opposite spoke of his absolute disbelief that the country would ever depart from our old system of local representatives and local areas. It is not necessary that you should depart from it. It is only necessary to revert to the local areas which were recently our units for Parliamentary elections. If you were to revert to the old system of electoral areas and have a multiplicity of candidates in them you would then be able to secure approximately, if not absolutely, a true correspondence between the electoral power in the country and at Westminster, and the representation of that intellectual, moral, and political power which the noble Viscount holds has been realised in some measure and in relation to some classes in the representation of the Universities. The noble Viscount thinks that the suggestion is one which the people of this country would never adopt; but it has been adopted in other countries in different forms, and in one at least of our own Colonies—in Tasmania; and I think it is extremely rash, in view of the great changes that must be anticipated, and which must make all reflecting people anxious about the future, to attempt to say to what changes the mind of the country may not be drawn, especially if persons of experience will turn their minds to the projected changes and inquire whether they might not be adopted with advantage here.

This Bill is founded on the principle of equality of voting power. When I have addressed electors as a candidate, in answer to the suggestion of one man, one vote, it has always been said, "Yes; you mean not merely that, but one man, one vote, one value." This Bill would not realise that desire. It would only go a very little way. It would remove a prejudice, and in my judgment it would be wise for your Lordships to do your best to remove that prejudice, seeing that the Bill would not materially interfere with the greater changes which you know to be imminent. The Bill cannot be accepted as a solution of the electoral question. It is confused in its machinery, it is complex, and it is in the last degree vexatious and irritating. I confess I have never been able to see why we should not be content with a simple Act making it penal for a person to vote more than once at a general election, leaving it to him to choose his constituency. That would be the simplest way of dealing with this question.

I end what I have to say by expressing the opinion that it would be wise to accept this Bill, but if it is to receive the *coup de grace*, it will not surprise your Lordships that I shall accept that result with a not unbecoming serenity, thinking that in the end not much mischief will be done by delay, and that the interval may be well used in attempting further to direct the mind of the nation to the true solution of the whole question.

THE EARL OF MEATH: My Lords, although I am not a recognised adherent of either of the two great Parties in this House, perhaps I may be permitted to make a few observations on the Amendment of the noble Viscount. I was very pleased that the noble Viscount's Amendment contained the statement that this House was willing to consider a complete scheme for reforming the Parliamentary franchise and securing the fair representation of the people. Without the insertion of those words I should not have found myself able to support the noble Viscount. I must say I think those words make it quite clear that your Lordships are in no way opposed to any Amendment of the franchise law which may be for the interest of the people.

I do not propose to enter into any discussion of the merits or the demerits of plural voting. My opposition to the Bill is that it is a disfranchising Bill. I am no opponent of the extension of the franchise or of electoral reform as long as that reform does not disfranchise any portion of the population which in the past has exercised the vote. But this Bill, to my mind, distinctly disfranchises certain classes of his Majesty's subjects, and I think it might very well be described as a Bill for the encouragement amongst voters of a disinclination to exercise the Parliamentary vote. The one complaint which we have heard of recent years has been that there is the greatest possible apathy amongst voters, and we have heard over and over again that this is a real danger to the country. Here is a Bill which, to my mind, is going to disfranchise several classes, and amongst them perhaps some of the most public-spirited men to be found in Great Britain.

The noble Viscount has told your Lordships that this Bill is calculated to disfranchise large numbers of the University voters. I will not, therefore, dilate upon that class. But in addition there are three other classes which will be disfranchised by this Bill. The first is those law-abiding citizens who are cursed with very sensitive consciences, and who dread more than anything the possibility of its being said that they have done anything, however innocently, to break the law. The second is a very numerous class, I regret to say, citizens of property who take life easily, and who would rather suffer disfranchisement than be bored by having to give notice of the selection of a constituency to any official whatever. The third class is composed of those timid persons who are so opposed to the idea of publicity that they would rather suffer disfranchisement than be accused, even without the least chance of its being true, of having done something which would bring them before public notice.

The noble Earl who moved the Second Reading of this Bill stated that imprisonment was done away with. But in reading the Bill I see that the direction to the Court is not that it "shall" not imprison but that it "may" not imprison. A timid person would say he would rather run any risk than incur the chance of being imprisoned, and the amount of the fine—£500—would be absolute ruin to many individuals. There are large classes who will be disfranchised by this Bill, and I, for one, say that I will have no part or lot whatever in voting for a disfranchising Bill. If the noble Lord brings in a Bill which shall place the Constitution on a wider and more steady basis I will support him, but I will have absolutely nothing to say to a Bill which disfranchises a large number of His Majesty's subjects, and only gives security to voters who possess all their property in one constituency, or who are possessed of so little property that they only have one vote.

*THE MARQUESS OF LANSDOWNE: My noble friend behind me has so skilfully and so effectually exposed the unsoundness of this measure that I need not detain your Lordships for more than a few moments with the observations I am about to offer. The Bill has been recommended to us upon one ground, and one ground only—namely, that it is a Bill intended to remove what noble Lords opposite are pleased to call an anomaly in our electoral system. Now I am not prepared to admit so readily as noble Lords opposite that the system of plural voting is necessarily an anomalous system. But whether it be an anomaly or not, it is certainly not the only anomaly to be found within our electoral system. And our complaint of His Majesty's Government is that they have singled out this one anomaly, and have turned their blind eye towards the other anomalies with which our electoral system bristles. That system is not, and does not pretend to be, a symmetrical or scientific system, and the passing of this Bill certainly will not make it a scientific or symmetrical system.

My noble friend referred to some of the anomalies which this Bill would leave in existence. He spoke of the Irish anomaly. If you object to one man having two votes, why do you look with so much equanimity upon an arrangement which gives to the Irish voter a vote worth ten times as much as the vote enjoyed by voters in other parts of the United Kingdom? And is not the argument greatly strengthened when you consider the proportion to which illiteracy prevails in Ireland? The Irish voter, with a vote that counts ten times as much as that of his fellow voter in this country, belongs to a part of the United Kingdom in which illiterate voters are as one in ten, whereas in Scotland they are as one in 300. Then, my Lords, there is the Welsh anomaly, and I think I caught from the noble Lord on the back benches a reference to the case of Wales. My Lords, in the last election there were seventeen contests in Wales. The Unionist candidates polled 52,000 votes; the Liberal candidates polled 91,000; and yet the Unionists are without a single Member. Is not a system which admits of such a condition of things an anomalous system? Again, in this country is it not the case that a single Liberal Member of Parliament represents something like 7,000 voters, whereas a single Unionist Member of Parliament represents something like 17,000? The Liberal votes were, I believe, as five to four; the Liberal Members returned were as three to one. Then there are the seventeen varieties of franchise which you find in this country. There are the infinite differences to be found in our local and municipal franchises, and the arbitrary rules as to residential qualifications in counties and in boroughs. Within the last few days His Majesty's Government have tried a new little experiment of their own in the direction of plural voting. Let me remind them that under the Education Bill three parents with ten children apiece will be entitled to as many votes as ten parents with three children apiece. What is the ostensible ground upon which this particular anomaly is to pass under the dissecting knife of His Majesty's Government? We are told that a voter votes as a man, and not as a resident. I should be slow to accept that doctrine. I am under the impression that a voter enjoys a vote not because he breathes the air of the British islands, but because he resides in a particular part of those islands, because he has a local stake in that part of the islands, and he is therefore accorded the privilege of assisting to select a Member of Parliament who shall be the spokesman for that part of the country in which he lives. That seems to me to be a reasonable and common-sense view of the case. And it is for that reason that I am not greatly perturbed by the illustration advanced by the noble Earl who introduced this Bill, when he told us it was quite conceivable that the owner of a large estate in a ring fence would have only one vote, whereas the owner of a number of small patches of property aggregating altogether much less than the estate of the larger proprietor would be entitled to a number of votes. The man with the scattered property has more than one vote because he has a local interest in the parts of the country where those sporadic pieces of property are to be found. You are now going to say to that individual that he is to be deprived of one or more of his votes, not because he has done anything wrong, but because he has the misfortune of being entitled to vote in some other part of the country. What is the real origin of this proposal? It is a matter of notoriety that it is made because His Majesty's Ministers and their supporters believe that by attacking this particular franchise they will do something to diminish the strength, not too great at this moment, of those who are in opposition to them. It is for that reason that they are ready to do that which Mr. Gladstone refused to do in 1884, and that which was not contemplated by their own registration proposals in 1893.

My Lords, I regard this proposal with alarm, because, it seems to me to involve a still further step in a direction in which I fear His Majesty's Government are too fond of travelling—I mean in the direction of separating representation and taxation. It means the transfer of power from those who are liable to ever-increasing direct taxation to those who are immune from direct taxation and liable to indirect taxation only. I also object to this Bill on account of the penal character of some of its provisions. Under the Bill a man with two votes is actually worse off than a man with a single vote, because he is liable to the heavy penalties which this Bill contemplates. It is disfranchisement carried out in a most invidious manner; I say that particularly on account of the manner in which the Bill disfranchises the University constituencies. We also dislike this Bill on account of the extreme complexity of its provisions. It seems to me to have a characteristic which is noticeable in a great many of the Bills proposed by noble Lords opposite and their friends—I mean that it will lead to a great deal of litigation and expense. The noble Lord told us that the voter would choose his constituency. I do not believe it. I believe the person who will choose his constituency for him will be the agent, and that there will be an infinite amount of what we usually speak of as gerrymandering under the provisions of this Bill. The noble Lord on the back bench, I think, let fall an observation that your Lordships might amend the machinery of the Bill. How are we to amend it without substituting for the seventeen various franchises with which this country is familiar a single, simple, and uniform suffrage? That surely is not a task which this House could be expected light-heartedly to undertake.

The noble Earl suggested to us that this was a Bill we should hesitate to touch, because he said your Lordships' House had no direct interest in the measure. No direct interest in the measure? My Lords, if your Lordships are to have the right of rejecting any measures, surely you have the right to reject a measure which touches the machinery by which all legislation is produced in this country, the machinery which lies at the very fountain head of our legislation. I therefore raise my protest against the doctrine that because this Bill touches the House of Commons franchise, we are for that reason in any way precluded from dealing with it as we think proper. That right of dealing with the Bill seems to me strengthened when we come to consider the moment at which this proposal is made to us. Noble Lords opposite have chosen a moment when they are already in a position of overwhelming strength in the House of Commons. Are they so insecure in their position that it is necessary for them to bolster it up by this petty attempt still further to increase the weakness of their adversaries? My Lords, the scales may be rough and imperfect, but I think we have a right to raise our voices against this attempt to tamper with them. I hope your Lordships will stick to the old principle—which has been affirmed by members of His Majesty's Government—that when you deal with the suffrage you deal also with seats. I hope your Lordships will refuse a Second Reading to the Bill. If I wanted to write its epitaph I should do so in the words used a few moments ago by the noble Lord who said that this Bill was a Bill confused in its machinery, perplexing and irritating, and in the last degree vexatious. A Bill which can be so described is not, I venture to think, one to which your Lordships should give a Second Reading.

THE LORD PRIVY SEAL (The Marquess of RIPON): My Lords, I have listened with the utmost attention to the speech of my noble friend who has just sat down. He addresses the House upon this question from a somewhat different position from that of the noble Viscount opposite. In several respects the noble Lord cannot place himself in the position which the noble Viscount is entitled to take up. In the first place, my Lords, this Bill has been objected to because it has been argued that if you wish to deal with the great question of Parliamentary representation you ought to deal with it as a whole. I do not agree to that principle if it be carried to an extreme. The noble Viscount was perfectly entitled to use that argument, and he used it with his accustomed skill. But, my noble friend opposite is not, I humbly think, entitled to use it, because if my memory serves me rightly, in the course of the last session the then Government brought in a Bill, or rather, made certain propositions—for they never got as far as a Bill—with respect to redistribution. Redistribution is only one part of the question of Parliamentary reform. Redistribution is a part of the question intimately connected with the further question of what is to be the franchise. And yet last year there was no hesitation on the part of the then Government in proposing to deal with the question. They found it impossible to do so, and perhaps it is from a kind feeling to His Majesty's present Government that they are induced to point out that they are attempting to take a line in which the Opposition themselves failed. The qustion proposed to be dealt with separately last year was a very large question indeed. This question, I quite admit, is a small one. My noble friend who has just sat down says it is only one of many anomalies. I quite agree with him. There are a great many anomalies in our present electoral system. I shall be very glad indeed to see those anomalies removed, and I confess I am rather comforted by one part of the Amendment moved by the noble Viscount. I do not know why noble Lords opposite have proceeded by this process of Resolution, because obviously from the speech of the noble Lord who has just sat down it is not any part really of the Bill itself to which you object—it is the whole principle of the measure which you desire to reject, and which you might have rejected just as well by means of a simple Motion to read the Bill this day six months. You are very much mistaken if you think that the people of this country will not be able to see through the thin veil of this Resolution, and be able to understand perfectly well why you voted against this Bill. I was a little surprised by one remark of my noble friend. He said, and said quite frankly and openly, that this proposal of ours was simply intended for the purpose of putting an end to a system which we found told to our disadvantage at a general election. My Lords, as the noble Lord took that line, I will venture to tell the noble Viscount and noble Lords opposite that their opposition to this Bill arises from their fear that if it be passed it will do them an injury at the next general election. I am quite entitled to make that remark, although I do not think I should have made it but for what fell from my noble friend.

Now, my Lords, this is a single question, standing by itself, and capable of being dealt with by itself, and it is just the sort of question which my noble friend opposite the other day, in rather startling words, laid down as a question with which your Lordships had better not deal. My noble friend was then speaking upon the Trade Disputes Bill—a Bill, it will be remembered, which was denounced in language almost stronger than even the strongest language of the noble and learned Earl (who does not mince his opinions when he gives them to your Lordships' House), and of which my noble friend Lord Lansdowne also expressed considerable abhorence. But you were to pass that Bill. It was bad, it was unjust, it was an infringement of liberty, and I really do not know what else; but you were to pass that Bill, because you considered that the principle of it had been accepted by the country at the general election. That argument applies quite as much—I venture to think that it applies much more—to this Bill as it did to the Trade Disputes Bill. I accept it for the Trade Disputes Bill. I hope to see your Lordships acting upon it when that Bill comes into Committee, but I say that if ever there was a question upon which the opinion of the Liberal Party has been freely expressed, it is this question of what is called "one man one vote." This Bill has passed the other House of Parliament by overwhelming majorities; it was discussed at the last general election in every part of the country. My noble friend behind me, in the admirable speech with which he introduced this Bill, said, with perfect truth, that he did not believe there was a Liberal candidate at the last general election who did not pledge himself in support of the principle of "one man one vote." Therefore, if you are going to act upon the principle—a wise and discreet principle I quite admit—that what has been accepted by the country by an overwhelming majority at a general election ought to be accepted also by your Lordships, at least in its main principles, then I say that you ought distinctly and without hesitation to pass this Bill. I know my noble friend used some ominous words on that occasion. He said that it was desirable that when your Lordships were dealing with Bills which came up from another place you ought to take care that in joining issue upon them you should, as far as you are able, be sure that you were doing so upon grounds as favourable as possible to yourselves. That is a rather remarkable statement. It may show what is the reason of the difference between the mode in which you are treating this Bill and the mode in which you are proposing to treat the Trade Disputes Bill, because in a certain sense—not in an open sense, not in a Parliamentary sense, not in the sense of the public interest, but in another sense—in a party sense—no doubt it may be quite true that this Bill does affect the interests of the Party opposite.

My Lords, it is not necessary for me to keep your Lordships much longer at this moment by arguments upon the Bill itself. The details of the matter were dealt with so skilfully by my noble friend behind me that it dispenses me from detaining your Lordships long, but one remark I would make. The present law in regard to this matter of one man one vote is, as your Lordships know, inconsistent with the principles which govern the franchise in other cases. In borough elections, as was stated by the noble Viscount opposite, and in county council elections, persons are not allowed to vote in two wards, or in two districts, of the county or borough with which they are connected. What does that mean? What is the principle involved in that? That, mind you, was the principle adopted by the Conservative Government in the Local Government Bill, 1888. What is the meaning of that principle? Surely it is this, that a man is not to vote twice in regard to the election of a body which is to deal with a particular area. He is not to vote twice in a county council election; he is not to vote twice in a borough election; and therefore, the same principle—the general principle upon which you act in these cases—the principle which you yourselves adopted in 1888, when applied to Parliament means this, that a man is not, at a Parliamentary election, to give a vote in two places. The present system does confer a privilege upon one man above another. It does establish a difference between the voting power of one man as compared with another, and generally it is in favour of the rich rather than of the poor. It is a system which has created considerable dislike on the part of those who now represent at all events the great majority of the people of this country. It is a principle which, as far as I can see, is not to be defended. The measure by which we propose to get rid of this anomoly is one which stands by itself, one which can be dealt with by a single Bill, and one which, as was pointed out by my noble friend behind me, can clear away difficulties which might beset you when you come to deal generally with this question, and under those circumstances I think it will be greatly to be regretted if this Bill is rejected to-night. Your Lordships have claimed—and I do not contest it—your right to reject this Bill. No doubt you have that right. Whether it is wise of you to exercise it I do not say. I think that every argument which was used by my noble friend opposite in reference to the Trade Disputes Bill applies equally to this measure, and I should very much regret, upon general public grounds, if it should be your Lordships' pleasure now to throw it out.

A great deal has been said about the machinery adopted in this Bill for carrying out its object. It really is no use discussing the question at this moment, because, when I look round me, I know of course what is going to happen to this Bill. It will never get into Committee. You do not mean it to get into Committee. You really care but little about its details. But this I do say, that, if the Bill be complicated, it is due to the concessions made to hon. Members on the Opposition side of the House of Commons in consequence of objections which they urged. And, after all, it does not appear to me to be of that complicated nature which has been charged against it, but rather to be as simple as it could be made having regard to the nature of the measure. Therefore, my Lords, although it is useless to argue questions relating to the details of a Bill that you intend to reject, I repeat my earnest regret—a regret far wider than for the mere loss of this measure—that you should think it fit upon the Second Reading of this Bill, to reject a measure affecting the election of Members of the other House of Parliament.

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Proposed Resolution agreed to.

BUSINESS OF THE HOUSE.

*THE MARQUESS OF RIPON: My Lords, I beg leave to state that in the present state of business I propose to ask your Lordships to sit on Friday next from twelve o'clock to three, in order to take some of the Bills that remain to be dealt with. The Merchant Shipping Bill stands as the second order for to-morrow. I hope it may be then finished, but if not, I propose to take the remainder of the Committee stage of that Bill on Friday. If that is not necessary, I should propose to put down the Report stage of the Trade Disputes Bill for that day and the Report stage of the Land Tenure Bill in that order. Of course I cannot put them formally down on the Paper because they have not passed Committee.

*THE MARQUESS OF LANSDOWNE: I think we ought to have time to consider the statement which the noble Marquess has just made. I should be disposed to say at once that while we who sit here would be glad to facilitate the transaction of business by a special sitting on Friday, our feeling with regard to proposals of that kind must depend a good deal upon the prospects of getting through, before the Christmas holidays, the great mass of business which His Majesty's Government have brought forward in this House. If there is no prospect of getting through it before the Christmas holidays, then there would seem to be not much object in a special sitting.

*THE MARQUESS OF RIPON: I shall make that motion on Thursday—or earlier if noble Lords prefer that I should do so—and then your Lordships will be able to say what your feelings are concerning it.

BURIALS BILL.

Brought from the Commons; read 1^a; and to be printed. (No. 228.)

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Monday, 10*th December*, 1906.

The House met at a quarter before Three of the clock.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).

Petition from Lincoln, against alteration of Law; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petitions for extension to women; From Halifax; Home Counties Union of

Women's Liberal Associations; Lancaster; Saffron Walden; and, Woodford; to lie upon the Table.

SMALL LANDHOLDERS (SCOTLAND) BILL.

Petition from Ayr, against; to lie upon the Table.

RETURNS, REPORTS, ETC.

PENSIONS AND SUPERANNUATIONS ALLOWANCES.

Return [presented 7th December] to be printed. [No. 373.]

TRANSVAAL CONSTITUTION, 1906.

Copy presented, of Letters Patent and Instructions relating to the Transvaal and Swaziland Order in Council [by Command]; to lie upon the Table.

TRANSVAAL.

Copy presented, of the Asiatic Law Amendment Ordinance, No. 29, of 1906 [by Command]; to lie upon the Table.

COLONIAL REPORTS (ANNUAL).

Copy presented, of Report No. 512 (Southern Nigeria, Annual Report for 1905) [by Command]; to lie upon the Table.

GOVERNMENT DEPARTMENTS (IRELAND).

Return presented, relative thereto [ordered 12th July; *Mr. Jeremiah MacVeagh*]; to lie upon the Table.

SHOP HOURS ACT, 1904.

Copy presented, of Order made by the Council of the West Riding of Yorkshire and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for certain classes of Shops within the Hebden Bridge Urban District [by Act]; to lie upon the Table.

INCOME-TAX.

Copies presented, of Extracts from Treasury Letters, dated October, 1842, and August, 1856, relating to Relief from Income Tax in certain cases [by Command]; to lie upon the Table.

EAST INDIA (TRADE).

Copy presented, of Review of Trade of India for 1905–6 [by Command]; to lie upon the Table.

Paper laid upon the Table by the Clerk of the House:—

LUNACY.

Copy of Report to the Lord Chancellor of the number of visits made, the number of patients seen, and the number of miles travelled by the Visitors of Lunatics between 1st April, 1906, and 30th September, 1906 [by Act].

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Inspection of Workshops in Convents.

MR. H. BEAUMONT (Sussex, Eastbourne): To ask the Secretary of State for the Home Department, whether he is aware that, in institutions belonging to religious orders which have been expelled from France and which are now domiciled in England, a number of young girls are employed in laundry work, lace-making, and dressmaking; whether he is aware that charges were made against the cruelty and sweating practised in these institutions in France; and whether he intends to introduce any legislation for the protection of the young girls so engaged.

(*Answered by Mr. Secretary Gladstone.*) I fear I can add nothing to the Answer which I gave on 27th November to the hon. Member for North Down,† to the effect that the question of regulating industrial work in religious and charitable institutions, when carried on by way of trade, is now under consideration; but that, apart from this, I cannot take action with a view to the inspection of religious institutions.

The Grenada Education Ordinance.

MR. CHARLES DUNCAN (Barrow-in-Furness): To ask the Under Secretary of State for the Colonies, whether he is aware of the dissatisfaction throughout the Island of Grenada, West Indies, owing to the recent Education Ordinance passed in the Legislature of this Crown Colony where the taxpayers are unrepresented; and, in view of the petition sent to the Secretary of State for the Colonies against the same, will the ratification of the Crown be withheld till this petition is considered.

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† See (4) *Debates*, clxv., 1425.

(*Answered by Mr. Churchill.*) Exception was taken to certain points in the Education Ordinance by the Archbishop of Port-of-Spain on behalf of the Roman Catholic Church in Grenada, and a petition on the subject was received from a large number of Roman Catholics in the Island. Lord Elgin most carefully considered the objections, but, as the Ordinance had the approval both of the Board of Education in Grenada and of the Legislative Council, and was supported by the Roman Catholic representatives in the Council, the Secretary of State saw no sufficient reason for advising His Majesty to exercise His power of disallowance in regard to it.

Removal of Monthly Courts from Cromarty.

MR. WEIR (Ross and Cromarty): To ask the Secretary for Scotland, whether he has received copies of resolutions passed at a recent meeting of the inhabitants of Cromarty and district protesting against the petition of the procurators of Tain and Dingwall to discontinue the monthly courts at Cromarty; and, seeing that the removal of cases arising in the Cromarty district to either Tain or Dingwall for trial would entail great hardship on litigants of small means on account of the extra expense such a course would involve, will he consider the expediency of arranging for the monthly court at Cromarty to be continued as at present.

(*Answered by Mr. Sinclair.*) I have received copies of the resolutions referred to by my hon. friend, but no petition for the discontinuance of the monthly courts at Cromarty has reached me.

Qualifications of Teachers in State-aided Elementary Schools.

MR. WEIR: To ask the Secretary for Scotland, whether lady students, who have already partly qualified for the L.L.A. degree of St. Andrew's University in the belief that when qualified they would be eligible for teaching modern languages in State-aided secondary schools, would be eligible for such positions, under the new regulations, provided they have obtained the L.L.A. degree.

(*Answered by Mr. Sinclair.*) As the hon. Member has already been informed in correspondence, there are at present no regulations whatever as to the qualifications of teachers in State-aided secondary schools. It is open to the managers of these schools to appoint a teacher whom they believe to be competent, independently of whether such teacher has obtained the L.L.A. of St. Andrew's University or any other degree.

Repair of Irish Lightships—Trade Union Wages.

MR. FIELD (Dublin, St. Patrick): To ask the President of the Board of Trade whether he is aware that the work of repairing the Irish lightship has been taken away from Dublin and placed with an English firm at Appledore; that according to the terms of contract the Dublin firm is bound to pay the trade union rate of wages ruling at the port, while the wages at Appledore are below the usual trade rates, and the workmen there are not recognised as tradesmen by the Shipwrights Union; whether he is aware that the Irish Lights Board invited tenders for the repairs of one of their vessels, "The Torch"; that a tender from an Irish firm was forwarded to the Board of Trade, with a recommendation that it be accepted, and that this vessel has been sent to Appledore; and whether he will take steps to have the Fair Wages Resolution of the House of Commons carried into effect, and give local employment to the workmen in Dublin.

(*Answered by Mr. Kearley.*) It is hardly correct to say that the work of repairing lightships has been taken away from Dublin and placed with a firm at another place. Tenders for the repair of the lightships are invited by the Commissioners of Irish Lights in each case as occasion arises, and those received are always carefully considered on their merits. In the case of the "Torch," the Commissioners recently recommended the acceptance of a tender from a Dublin firm, but the Board of Trade did not consider that the Commissioners were justified in passing over one received by them from a firm at Appledore, who were in the habit of tendering for and performing this class of work for the Commissioners, and who offered to do the work for a considerably smaller sum and in half the time. A wages clause is inserted in this contract stipulating that competent workmen are to be employed, and that they are to receive such wages as are generally accepted as current for their respective trades in the locality.

Loch Ryan Oyster Fisheries.

MR. HUGH BARRIE (Londonderry, N.): To ask the President of the Board of Trade, whether he is aware that among the articles recovered from Loch Ryan, in the presence of the General Inspector of Sea Fisheries, were two strongly-built boxes, 30 inches high, chained together and loaded with stones, which showed no trace of oyster spat, and which had wound round them an entanglement of barbed wire, suggesting that such boxes had been laid down by the Oyster Fishing Company to prevent fishing with nets there; and whether, in view of the danger caused thereby to craft sailing in the shallow waters of Loch Ryan, he can state how many such boxes were laid down, and where, how many recovered, how many still unaccounted for, and what effort was made to trace them; whether he is aware that the Oyster Company have been in the habit of depositing stones and rough gravel in the shallow waters of the loch, and that the manager of the Oyster Company, when under examination at a committee meeting of the Stranraer Town Council, stated that his company were acting within their rights in depositing extraneous matter in Loch Ryan; and will he say whether the assurance asked for from the Oyster Company had since been received.

(*Answered by Mr. Kearley.*) I understand from the General Inspector of Sea Fisheries that only one box was recovered in his presence the description of which accords fairly with the particulars in the hon. Member's Question, except that the wire with which it was bound was not barbed. The Loch Ryan Oyster Fishery Company state that thirty boxes were placed by them a little below low-water mark, in July, 1905, at various points on the east and west sides of the Loch, and were left down for about four weeks, with a view of collecting spat. At the expiration of that period they took up all the boxes which they could find (twenty-two in number). The remaining eight they were unable to recover, although they frequently endeavoured to find them by grappling and sweeping, and they can only suppose that the missing boxes must have been taken away by other parties. The Company also state that no stones were deposited by them, but that it is essential to the proper working of the fishery to remove the large stones and boulders from the bed of the loch, and to deposit thereon a thin layer of broken pieces of brick, tiles, etc., no larger in size than an oyster shell. I have no information as to the proceedings at the Stranraer Council committee meeting referred to. The Company have given an assurance that they will not in future place in the loch any obstructions such as the boxes referred to.

Building Regulations in Pentonville Road.

MR. HORNIMAN (Chelsea): To ask the President of the Board of Trade whether his attention has been drawn to the decision of the tribunal of appeal in the case of an appeal by the owners of the premises Nos. 190–208, Pentonville Road against the certificate of the superintending architect of metropolitan buildings defining the general line of buildings on the north side of Pentonville Road between Southampton Street and North Street; whether he is aware that the effect of the decision will be to make it lawful to erect buildings 80 feet in height in place of the existing one-storey shops; and whether, in view of the desirability of wide thoroughfares and of the fact that the advisory board of engineers, in their Report to the Royal Commission on London Traffic, pointed out that an Act of Parliament of 1756 enacted that no buildings should be erected within 50 feet of the sides of the Pentonville, Euston, and Marylebone Roads, and urged that the principle on which the Act was based should now be acted on, he can see his way to take immediate action to prevent the air space and width of thoroughfares like the Pentonville Road being seriously diminished.

(*Answered by Mr. John Burns.*) My right hon. friend has asked me to reply to this Question. I have made inquiry on the subject to which it relates, and understand that the facts are substantially as stated. I am, however, informed that the tribunal of appeal expressed their willingness to state a case for the opinion of the High Court on a question of law, and that the London County Council are taking steps to get a case stated. I have myself no powers in relation to the width of streets in London.

Payment of Jurors' Expenses.

Mr. LLOYD MORGAN (Carmarthenshire, W.): To ask the Secretary of State for the Home Department whether many petitions have been received at the Home Office from county councils and other important public bodies in favour of the payment of the expenses of jurors attending assizes and quarter sessions; and whether he is prepared to consider the question of introducing a Bill to deal with the subject during the course of next session.

(*Answered by Mr. Secretary Gladstone.*) About ten years ago representations were received from nine county councils and a great many minor bodies, but since then scarcely anything has been heard at the Home Office on this subject. I have no reason to think there is any strong feeling in favour of legislation, and I do not at present contemplate proposing any Bill for the purpose indicated.

Birching for Sleeping out in Dorsetshire.

Mr. LLOYD MORGAN: To ask the Secretary of State for the Home Department, whether the justices for the county of Dorset have sentenced any prisoner to be birched for the offence of sleeping out since his predecessor wrote on the 12th August, 1905, to the chairman of the quarter sessions, expressing his opinion that birching was not an appropriate punishment for such an offence.

(*Answered by Mr. Secretary Gladstone.*) Since August, 1905, no order for whipping has been made by the Dorset Quarter Sessions in any case under the Vagrancy Act.

Sunday Closing of Shops—Suggested Legislation.

Mr. F. E. SMITH (Liverpool, Walton): To ask the Secretary of State for the Home Department, whether, having regard to the report of the Select Committee appointed to consider the Sunday closing of shops, he will consider sympathetically the widely-spread desire that legislation on the subject shall be introduced in the next Session of Parliament.

(*Answered by Mr. Secretary Gladstone.*) I can assure the hon. Member that the matter has my sympathetic consideration, but I am afraid I cannot at the present time say anything as to the prospects of legislation.

Convocations of Canterbury and York—Letters of Business.

Mr. PAUL (Northampton): To ask the Secretary of State for the Home Department, when the Letters of Business to the Convocations of Canterbury and York will be printed and distributed to Members.

(*Answered by Mr. Secretary Gladstone.*) I understand that the Return will be issued to-morrow.

Postal Delivery in Inniscarn District, County Derry.

Mr. MACVEAGH (Down, S.): To ask the Postmaster-General, when it is intended to give effect to the promised acceleration of postal deliveries in Inniscarn and district, county Derry; whether he can state why the letters are sent via Moneymore, which is over six miles distant, instead of by Dessertmartin, which is under two miles distant; and whether the matter will receive immediate attention.

(*Answered by Mr. Sydney Buxton.*) I am sorry that it is not at present practicable to accelerate the delivery at Inniscairn, either by serving it from Dessertmartin or otherwise, except by a revision of the duties now performed by two established postmen, which would involve their compulsory transfer to other offices. I do not feel justified in adopting this course, more especially in view of the fact that the number of letters which would be accelerated in delivery would be very small. The difficulty has been personally explained to Mr. Kerlin, of Inniscairn, who applied for an acceleration of his delivery, and should an alteration in the circumstances hereafter render an improvement in the service practicable, I shall be pleased to sanction the arrangement.

Learners in the Irish Postal Service.

MR. DELANY (Queen's County, Ossory): To ask the Postmaster-General, if he is aware of the state of affairs existing in the Irish Postal and Telegraph Service by reason of the number of learners for whom no appointments can apparently be found; is he aware that several of these youths have been in the service for upwards of three years; under these circumstances can he say why an examination for male learners is announced to be held in Dublin and other Irish centres in January next; and when the vacancies announced for that examination are likely to occur.

(*Answered by Mr. Sydney Buxton.*) I am aware of the facts of the case to which the hon. Member refers, and I may explain that the position has recently been met by a large increase of pay to learners with upwards of three years' service. The vacancies offered for competition in January for learners in various parts of the United Kingdom already exist either on the learners' class or on the class above to which a learner is about to be promoted. In the case of Dublin a considerable number of vacancies for learners will shortly occur, and learner from other parts of Ireland have been invited to transfer to Dublin, but very few are willing to do so. The filling of vacancies for learners at the bottom of the class will not affect the prospects of learners already in the service.

Appointment of Messenger to Postmastership of Killucan.

MR. DELANY: To ask the Postmaster-General if he will state on whose recommendation and on what grounds a messenger in the secretary's office in Dublin was recently promoted to the postmastership of Killucan; were any applications for this position received from sorting clerks and telegraphists; and was the vacancy announced in the Post Office Circular.

(*Answered by Mr. Sydney Buxton.*) I appointed the messenger in question to the postmastership of Killucan because he was, in my opinion, the most suitable candidate. Applications for the post, which was duly advertised in the Post Office Circular, were received from several sorting clerks and telegraphists.

Erection of Pillar-box at Longstone, County Down.

MR. MACVEAGH: To ask the Postmaster-General whether his attention has been called to the necessity for the erection of a pillar box at Longstone, near Annalong, county Down; whether he is aware that a number of fishermen in the district spend a considerable part of the year at their industry in Scotland and England, that the correspondence is therefore considerable, and that Mr. William Doran has offered a free site for a pillar box; and whether, in the event of its erection, he will arrange to have it cleared every day by the postman who passes the place on his return journey to Annalong.

(*Answered by Mr. Sydney Buxton.*) I will make inquiry on this subject, and will send the hon. Member an Answer in due course.

Pay of Dockyard Writers.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty, whether in view of the fact that no reply has been sent to the petitions forwarded by the dockyard writers during the last three years he can say when it is anticipated that the Report of the Committee will be published which in March last it was hoped to publish at an early date; and whether seeing that the Navy Estimates for 1905–6 and 1906–7 state that the pay of the writing staff is under revision, the revised scheme of pay will, when promulgated, date from 1st April, 1905.

(*Answered by Mr. Edmund Robertson.*) The Report of the Committee referred to in the reply to the hon. Member on the 21st March last,† has been considered, and as a result certain improvements in the position of writers employed in the dockyards, etc., were granted and promulgated to the establishments on the 30th July last. Subsequent inquiries into questions affecting the writing staff have been conducted by the same Committee, and their further Report will shortly be presented to the Board and duly considered. In the event of any additional changes being introduced it is not contemplated that they would be given retrospective effect.

Report on Naval Manœuvres.

Mr. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty whether, in the published Report of the naval manœuvres, he will include a list of the vessels which were originally designated to take part in the manœuvres, but which were unable to do so, or which parted company from their fleets owing to engine-room troubles or other causes.

(*Answered by Mr. Edmund Robertson*). The Admiralty have not yet decided as to the form the Report of the naval manœuvres will take.

The Case of the Crosbie Estate.

Mr. GINNELL (Westmeath, N.): To ask Mr. Attorney-General for Ireland if he will supply a copy of the case or questions on the Crosbie estate upon which the Judicial Commissioner gave his decision last Tuesday.

(*Answered by Mr. Cherry.*) The Estates Commissioners inform me that they understand an appeal will probably be taken in this case, and until the appeal has been heard it would appear to be desirable to treat the case as *sub judice.*

Salaries of Local Government Board Officials.

Mr. LUPTON (Lincolnshire, Sleaford): To ask the President of the Local Government Board what are the salaries of Mr. G. Walsh, Local Government Board inspector for the Nottingham and Lincoln districts, known as the North Midland Poor Law district, and Mr. A. J. Cole, auditor for the Lincolnshire district.

(*Answered by Mr. John Burns.*) Mr. Walsh's present salary is £600 and Mr. Cole's £675.

Clothing of Inmates of Workhouses.

Mr. COWAN (Surrey, Guilford): To ask the President of the Local Government Board whether he will, by administrative order, require all boards of guardians to clothe the inmates of unions with garments of a colour and pattern as the wearers may select, so long as the cost of the material is within contract prices.

(*Answered by Mr. John Burns.*) The Local Government Board in a circular, which they issued in January 1895, referred to the question of the clothes to be supplied to inmates of workhouses. They drew attention to a previous circular, in which it had been pointed out that the clothing need not be uniform either in colour or material. They specially suggested that the clothing worn by inmates when absent on leave from the workhouse should not be in any way distinctive or conspicuous in character.

Poppy Cultivation in India.

Sir HENRY COTTON (Nottingham, E.): To ask the Secretary of State for India whether the area under poppy cultivation in India has increased from 542,633 acres in 1894–5 to 612,230 acres in 1904–5, the latest year for which published figures are available; and, if so, whether the measures he has in hand for reducing the area under cultivation will effect a reduction at least to the level of twelve years ago.

(*Answered by Mr. Secretary Morley.*) I am aware that the area under poppy has increased to the extent stated. I consider that an immediate and substantial reduction is desirable, and I have given instructions to this effect. I cannot undertake that the limit of the area under poppy in 1894–5 will at once be reached, as this would be attended with inconvenience to the cultivators. But, in view of the probable decrease in the China demand, progressive reductions may be anticipated.

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† See (4) *Debates*, cliv., 360.

Sale of Opium.

Sir HENRY COTTON: To ask the Secretary of State for India if he can state why the Government of India, in 1901, fixed the standard number of Bengal chests of opium for export at 48,000; and whether, looking to the fact that in 1905–6 the number of chests sold was 37,695, in 1896–7 39,000, in 1897–8 39,000, in 1898–9 39,450, and in 1899–1900 41,700, he can see his way to directing that the number of chests sold in future years should be reduced to at least the level of the sales of ten years ago.

(*Answered by Mr. Secretary Morley.*) The standard number of Bengal chests of opium for export was fixed in 1901 at 48,000 chests because it was considered that the area of cultivation as it then stood would ordinarily produce that quantity of "provision" opium. Up to 1901 the higher standard of 54,000 chests had been nominally in force, but owing to the deficient yield of successive seasons and the necessity for replenishing the reserve stock it had been necessary to restrict the sales much below this standard between the years 1895 and 1900. By 1901 the reserve had been brought up to a sufficient amount, and it became possible to sell the whole annual production, subject to the limit of 48,000 chests. It would be premature to make any statement of future policy at the present stage of the Chinese programme of opium reform.

Opium in Store.

Sir HENRY COTTON: To ask the Secretary of State for India what was the number of chests of Bengal opium remaining in store on the 31st March, 1906; whether the stock in store has steadily increased during late years and is now more than double the amount in store ten years ago; and if he will consider whether the accumulations of stock are a reason, apart from other considerations, for reducing the areas of poppy cultivation and the manufacture of opium.

(*Answered by Mr. Secretary Morley.*) The number of chests in store on 31st March, 1906, was 76,059. Ten years before, owing to bad seasons, the reserve was below 30,000 chests on a corresponding date. In dealing with the question of the area to be licensed for poppy cultivation in the immediate future I have not overlooked the consideration mentioned in the last part of the question.

Opium Cultivation in India.

Sir HENRY COTTON: To ask the Secretary of State for India if he can state the circumstances under which 9,059 acres were cultivated with poppy in the Punjab in 1903–4 and 5,970 acres in 1904–5; and whether, looking to the fact that the cultivation in this province is remote from the Government opium factories at Ghazipore and Patna, he will consider whether poppy cultivation in the Punjab should not be altogether abolished.

(*Answered by Mr. Secretary Morley.*) The cultivation of poppy in certain districts of the Punjab has long been permitted. The crop is grown under the usual restrictions, and the produce is used by the excise department of Punjab instead of Bengal opium. As at present advised I see no reason for dealing specially or exceptionally with the question of the cultivation of opium in this particular province.

Leave Allowance of Indian Officers.

Sir SEYMOUR KING (Hull, Central): To ask the Secretary of State for India whether he is aware that an officer on combined leave is compelled to draw his privilege leave allowance in India; and whether he will arrange that in future an officer shall have the option of drawing the privilege leave portion of his pay at the Home Treasury, in the same manner as his furlough pay is disbursed.

(*Answered by Mr. Secretary Morley.*) I have consulted the Government of India, as I promised in July last, as to the desirability of allowing officers on combined leave in this country to draw their privilege leave pay at the Home Treasury. The reply of the Government of India will doubtless reach me shortly, and until I receive it I do not propose to make any change in the existing procedure.

Delay in Inspection of Estates in South Westmeath.

Mr. DONAL SULLIVAN (Westmeath, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will inquire of the Irish Estates Commissioners what is the cause of the delay in their inspectors visiting a number of estates for sale and evicted farms in South Westmeath; and if he will press on the Commissioners the urgency of making a speedy inquiry.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that such delay as has occurred in inquiring into the applications of evicted tenants in Westmeath is due to the very large number of such cases which have to be inquired into in all parts of the country. Seven applicants from Westmeath have already been reinstated. An additional staff of inspectors for the purposes of these inquiries has recently been appointed, and the Commissioners intend to have the outstanding applications from Westmeath inquired into as soon as possible.

Captain Caldbeck and Ballacolla Estate.

Mr. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that three tenants upon the Killermogh portion of Captain Caldbeck's property, Ballacolla, Queen's County, are being excluded from the proposed sale of the larger part of the estate; and will he see that the Estates Commissioners withhold their sanction to the sale unless those three tenancies are included.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they are unable to identify the cases of the three tenants referred to. If full particulars of the names and holdings of these tenants should be furnished to them, they will inquire into and consider the matter.

Dromara Embroidery Classes.

Mr. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether arrangements can be made to have the embroidery classes in Dromara court house, county Down, held at an earlier hour in the evening, so that girls living at some distance from the village may be enabled to attend them.

(*Answered by Mr. Bryce.*) The embroidery class at Dromara is held from 6 till 9 p.m. The County Down Committee have informed the Department of Agriculture that no representations have been made to them in favour of a change of hours. The Department have, however, now requested the secretary to the committee to consult with the instructress with the view of arranging, if possible, that the hours may be changed from 5 to 8 p.m.

Labourers Cottages at Aghalee (Antrim.)

Mr. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Local Government Board has been called to the failure of the Aghalee Rural District Council, county Antrim, to provide cottages under the Labourers Acts; whether they are aware that some of the applications have been before the council for four years, and that their present landlords will not repair the straw roofs of the labourers' cottages; and whether, having regard to the fact that the council have provided for only twenty cottages in the five parishes within its area, and that sites for the proposed cottages can be had voluntarily, he will give directions to have officers appointed to discharge the duties which this council fails to perform.

(*Answered by Mr. Bryce.*) The Local Government Board have received a few individual complaints, but no general memorial or complaint in respect of default on the part of the Aghalee District Council in providing labourers' cottages. The Board are not aware, and do not think it likely, that some applications have been before the council for four years, seeing that the council's last scheme was made in 1904. The Board have no information as to whether landlords have refused to repair cottages. Twenty-one cottages have been built in this district, which is the smallest in Ireland, and the council had agreed to provide twenty-three more, but suspended further operations pending the passing of the recent

Act. They are now acting in accordance with rules issued by the Board by inviting representations from labourers, and, until it is proved that they are unwilling to carry the Acts into practical effect, it would be premature to consider the appointment of an officer for the purpose. The hon. Member may rest assured that the Board will act up to the spirit of the Act recently passed.

Kinallen Embroidery Classes.

MR. MACVEAGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the classes under the County Down Committee of Agriculture for embroidery and sprigging at Kinallen, county Down, are to be held in the local Orange Hall; whether he is aware that a number of intending pupils decline to attend the classes under these circumstances; and whether it is intended to reconsider the arrangement.

(*Answered by Mr. Bryce.*) The Department of Agriculture are informed by the County Down Committee that the embroidery class at Kinallen is held in the Orange Hall because no other room is available. The Committee state that they are not aware of any intending pupils who decline to attend the class because it is held in the Orange Hall, and that no representations have been made to them in favour of a change of the place of meeting. In these circumstances, and in view of the fact that the Kinallen district is wholly inhabited by Protestants, the Committee say that they do not see their way to alter the present arrangements.

Captain Caldbeck's Estate.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that a notice to quit has been served upon Mr. Edward Phelan, Ballacolla, Queen's County, at the suit of Captain Caldbeck; and, seeing that proposals for sale are pending upon this estate, will the Estates Commissioners intervene to effect a settlement in this case.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have no knowledge of the facts alleged in the Question. No tenant of the name of Edward Phelan is included in the schedule of tenancies lodged in respect of the estate of Captain Caldbeck. In the event of the completion of the sale to the Commissioners they will be prepared to consider any application which Phelan may make to them.

Untenanted Land at Nobber, County Meath.

MR. PATRICK WHITE (Meath, N.): To ask the Chief Secretary to th eLord-Lieutenant of Ireland, what reply the Estates Commissioners have received from Colonel Lyster Smythe to their inquiry about his untenanted land at Nobber, county Meath.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have not yet received a reply from Colonel Lyster Smythe.

Irish Estate in Chancery.

DR. AMBROSE (Mayo, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will grant a Return of the Irish estates in the Court of Chancery giving the extent in statute acres in each case, the rent roll of each estate, and the number of years it has been in Chancery; whether any attempt has been made by the Congested Districts Board or the Estates Commissioners to purchase any of those estates; and, if so, when and why did the negotiations fall through; and could he give the names of such estates.

(*Answered by Mr. Bryce.*) I have referred this Question to the Lord Chancellor, who informs me that the preparation of the Return asked for would involve labour and expense out of all proportion to any possible advantage that could result from the Return. The employment of a large additional staff of skilled persons would be necessary for the investigation of the records of proceedings of the Four Courts of Equity, as well as of the proceedings of the Congested Districts Board and the Estates Commissioners, respectively, and before the Return could be completed many of the estates included in it would probably have been sold. In these circumstances, I am afraid the Return cannot be granted.

Government and Cotton Gambling.

Mr. FIELD: To ask the Prime Minister, whether, in face of the opinions expressed by the British President of the International Federation of Master Cotton Spinners and Manufacturers' Association at their International Cotton Congress held in London on the 15th ultimo, as to the time that must lapse before the British and their Continental neighbours can develop cotton-growing to the extent of the demand for manufactured cotton goods, and the necessity of attending to all sources of supply, especially from India, and further, taking into consideration the fact that the imports of East India cotton into Great Britain were killed many years ago by the somewhat similar gambling systems which, during the past few years, have also jeopardised the supplies of American cotton, His Majesty's Government propose International co-operation to cope with this evil and give support to the proposals of this International Congress to defeat cotton gamblers under the option and future systems as carried on in the American, British, Egyptian, and other cotton exchanges.

(*Answered by Sir H. Campbell-Bannerman.*) I am not prepared to admit the accuracy of the statements in the Question with regard to the imports of raw cotton into the United Kingdom from the East Indies. His Majesty's Government do not propose to take steps of the nature suggested.

QUESTIONS IN THE HOUSE.

Dockyard Wages.

Mr. JENKINS (Chatham): I beg to ask the Secretary to the Admiralty whether the recent advance in wages to the various trades and grades in His Majesty's dockyards have been awarded in accordance with the petitions presented to the Admiralty by the representatives of the dockyard employees; and whether such petitions included the average rates of wages from all parts of the country where Government work is executed.

The CIVIL LORD of the ADMIRALTY (Mr. Lambert, Devonshire, South Molton): The advances of pay recently made are the outcome of exhaustive inquiries made by the Board of Admiralty when they visited all the Home dockyards and received deputations of the men. As regards the second part of the question, the petitions in some cases included particulars as to the average rates of wages ruling in the districts referred to, but they were not generally uniform in this respect.

Mr. JENKINS: Is it not the fact that the Government accepted the principle of the trade union rate of wages, or at any rate the payment of the like wages in dockyards to those for similar work in private establishments? And does not the Return just issued show that the Admiralty are in fact paying 10 per cent. less at the present time?

Mr. LAMBERT asked for notice of the Question.

H.M.S. "Renown."

Mr. NIELD (Middlesex, Ealing): I beg to ask the Secretary to the Admiralty to what cause must be attributed the delay in carrying out the work of reconverting the "Renown" into a battleship.

Mr. LAMBERT: I am sorry, but I can only refer the hon. Gentleman to the reply of my right hon. friend the Secretary to the Admiralty on the 22nd November.†

Torpedo Boat Duties.

Mr. NIELD: I beg to ask the Secretary to the Admiralty how many of the eighty-five torpedo boats on the list would be required to undertake in war duties similar to those allotted to torpedo boats Nos. 65 to 73, and whether only thirty of the eighty-five torpedo boats on the list have any serious fighting value; and how many of those of the remaining fifty-five which took part in the recent manœuvres proved themselves incapable of attaining their estimated speed of seventeen to eighteen knots.

Mr. LAMBERT: I can only refer the hon. Member to the detailed statement made in reply to his previous question on the 2nd August.‡ As regards the second part, it is not considered desirable to publish details of the speeds attained by warships during the recent manœuvres.

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† See (4) *Debates*, clxv., 1190.

‡ See (4) *Debates*, clxii, 1343.

Guns for the Navy.

MR. NIELD: I beg to ask the Secretary to the Admiralty on what date mark X was finally adopted by the Admiralty as the standard 12-inch gun; and whether the guns of this class mounted in the "Dreadnought" were originally destined for the armament of one or more of the ships now under construction or completing for sea.

MR. LAMBERT: I can only repeat what was said by my right hon. friend the Secretary to the Admiralty, in answer to the hon. Member's Question of the 27th November, that it is not considered desirable in the public interest to give information as to the particular mark of guns supplied to ships.

United States Naval Programme.

MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether he is aware that the American Navy Department has reported to Congress that it is necessary to increase the original programme of battleships from two to four; and whether any change in the British programme for 1907–8 is contemplated.

MR. CHIOZZA MONEY (Paddington, N.) asked the hon. Gentleman whether, in the interests of the continuance of the friendly relations existing between the United States and this country, he would repudiate the suggestion that an increase in the American Navy was a reason for an increase in our Navy.

MR. LAMBERT: That is a Question as to policy which I would rather not answer. In answer to the first part of the Question, the Admiralty have no information apart from a statement in the Press. In answer to the second, the Estimates for next year are now under consideration.

Cavalry for Scotland.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary of State for War what steps are being taken to see if a suitable site for a brigade of cavalry can be obtained in Scotland.

MR. VINCENT KENNEDY (Cavan, W.): At the same time may I ask the Secretary of State for War whether he is now in a position to state what decision has been arrived at with regard to Lord Rosebery's offer to supply free of charge any land that may be required for the accommodation of the Scottish cavalry.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): It is obviously impossible for me to arrive at any decision until some definite materials are before me. When I have these they will be considered without delay in connection with principles of cavalry distribution and training which are being worked out. Possibly what the hon. Member for West Cavan has in his mind in the other part of his Question is the fact that Lord Rosebery and his eldest son not long ago presented the nation with a site for a battery near Dalmeny, very generously refusing to accept any payment for it.

Hilsea Artillery Brigade.

*CAPTAIN FABER (Hampshire, Andover): I beg to ask the Secretary of State for War whether the brigade of artillery now quartered at Hilsea, in Hampshire, which brigade is not far removed from the First Army Corps, has been provided with the new guns; and whether any defect has lately been discovered in the new guns now being served out.

MR. HALDANE: This brigade has not yet been re-armed. No defect in the new guns has lately been discovered.

Good Conduct Army Pay.

*CAPTAIN FABER: I beg to ask the Secretary of State for War whether he is aware that soldiers of corps, who enlisted before April, 1904, other than cavalry, artillery, and infantry, are suffering by the fact that when they gave up their right to good-conduct pay on 1st April, 1904, they were led to believe that they would receive service pay so long as they remained in the Army; and whether seeing that in the cavalry, artillery, and infantry an emolument has been substituted which is known as proficiency pay, he will say why other corps do not participate in this.

MR. HALDANE: All men who were in receipt of, or eligible for, service pay on 1st October, 1906, will continue to earn it for the whole period of service with the colours for which they had contracted before that date. As regards the last part of the Question, proficiency pay is given to the three fighting arms only. he other branches of the Service are considered to be sufficiently provided for by the grant of engineer pay, or special rates of pay for technical qualifications.

Cavan Gaol.

MR. VINCENT KENNEDY: I beg to ask the Secretary of State for War if he will say what is the present cost of up-keep, and generally, of the military barracks at Cavan; is any part of the old disused gaol in Cavan owned by the War Office authorities; if so, what is the tenure, what is the rent, and to whom is it paid; and how many men are accommodated in Cavan.

MR. HALDANE: The General Officer Commanding-in-Chief in Ireland reports as follows:—The average annual cost of up-keep of Cavan Barracks in £175. All the disused old gaol is at present held by the War Office from the Irish Government, as long as required by the former. The rent is £37 17s. 2d., paid to T. R. Blackley, representing Lord Farnham. The accommodation is seven married, seventy single men; and there are in occupation seven married, eleven single. Ten are on the lodging list.

MR. VINCENT KENNEDY: Do the War Office propose to continue the occupation of this gaol indefinitely?

MR. HALDANE: I cannot say.

The Scots Greys.

SIR CARNE RASCH (Essex, Chelmsford): I beg to ask the Secretary of State for War if he can state, with reference to the Scots Greys, what proportion of the men are English, what Scottish and what Irish.

MR. HALDANE: The percentages of the non-commissioned officers and men in the Scots Greys are as follows:—English 31 per cent.; Scottish, 67 per cent.; Irish, 1 per cent.; India and Colonies, 1 per cent.

MAJOR ANSTRUTHER-GRAY: Are not the English mainly recruits for drafts in India?

MR. HALDANE: If notice is given of that Question I will inquire.

AN HON. MEMBER: Is it not the fact that for the last three years recruiting been has entirely confined to Scotland?

MR. HALDANE: I think it is very doubtful, as the regiment has moved about a good deal.

MR. VINCENT KENNEDY: How many of these Scottish soldiers have fathers and mothers born in Ireland?

[No Answer was returned.]

Soldier's Death at Caterham.

SIR W. J. COLLINS (St. Pancras, W.): I beg to ask the Secretary of State for War whether his attention has been called to the death of Frederick Henry Geall, aged 19, who recently joined the Coldstream Guards at Caterham; whether he is aware that the cause of death was certified to be septic poisoning; to what cause the fatal disease was attributable; and whether any other recruits have been similarly infected.

MR. HALDANE: Private Geall, Coldstream Guards, died of septicæmia following ulcerated sore throat at Caterham on the 13th ultimo. On the 21st November, Private A. Morris, of the same regiment, was admitted to the hospital with malignant scarlet fever and died on the 24th, the local medical officer of health agreeing in the diagnosis. The similarity of the throat symptoms in these two cases point to the probability of Private Geall's death being due to scarlet fever, although the actual symptoms at the time of death did not justify such a diagnosis. Although it has not been possible to trace the origin of the disease in either case, it is thought that Morris derived his infection from Geall or at least from the same source. There have been several recent cases of scarlet fever in the neighbourhood of the barracks, some occurring in the street immediately behind them. The room in which these men died has been thoroughly disinfected and all the other prescribed measures have been taken. No further cases of scarlet fever have occurred up to the present.

MR. LUPTON (Lincolnshire, Sleaford): Is it not the fact that this was a healthy young man who, vaccinated with lymph from a diseased calf, died a few days after from blood poisoning?

MR. HALDANE: The diagnosis points to a very different conclusion.

MR. LUPTON: But was not septicæmia—blood poisoning—the cause of death?

MR. HALDANE: I have told the hon. Member the view of the doctor.

Small Arm Ammunition.

SIR FREDERICK BANBURY (City of London): I beg to ask the Secretary of State for War if there is an age limit laid down in the Army Ordnance regulations for ·303 small arms ammunition; if so, whether it has been decided to increase this age limit, and for what reasons, and by how many years; and if, in view of the recent instances of deterioriation of cordite in India, resulting in several separate explosions, he will consider the advisability of not extending the age limit of ·303-inch cordite small arms ammunition.

MR. HALDANE: No age limit is laid down in the Army Ordnance regulations for small arm ammunition. Instructions were some years ago sent to the commands abroad not to keep small arm ammunition beyond a certain time, but these instructions turn out, in the light of further experience and of fuller knowledge, based on scientific investigation, to have been ill-founded. The whole matter is being reconsidered in the light which the investigations of the scientific departments of the War Office have thrown on it. The explosions in India were not of small arm ammunition.

SIR FREDERICK BANBURY: Has any extension of the age limit been authorised?

MR. HALDANE replied in the negative.

Disbanded Battalions.

SIR SAMUEL SCOTT (Marylebone, W.): I beg to ask the Secretary of State for War if he will say in what manner he proposes to deal with the 210 officers, 189 non-commissioned officers, and 1,491 men of the disbanded battalions who have neither retired nor been discharged, have not been transferred to existing battalions, or passed to the Reserve; and whether the officers, non-commissioned officers, and men are in receipt of full pay pending a decision being arrived at as to their ultimate fate.

MR. HALDANE: They will be supernumerary to establishment until transferred to other regiments, should they desire it, or until absorbed in their own. They will remain in receipt of full pay.

Bounties.

SIR SAMUEL SCOTT: I beg to ask the Secretary of State for War what is the total amount of money expended to date in payment of bounties to men of the disbanded battalions in order to induce the men to join battalions of other regiments; whether bounties have been paid to men to induce them to join other battalions of their own regiment; and from which Army Vote is the money taken.

MR. HALDANE: The total amount spent to date is about £2,560. No bounties are paid to men on being posted to other battalions of their own regiments. The charges are taken against Vote 1, Subhead F.

Curragh Camp—Use of Military Horses for Private Purposes.

MR. JOHN O'CONNOR (Kildare, N.): I beg to ask the Secretary of State for War whether it is the custom of the military stationed at the Curragh Camp, county Kildare, to keep horses and vehicles to carry soldiers and their wives between the camp and adjacent railway stations on private business; whether fares for the journeys are deducted from the pay of the soldiers who use or whose wives use those vehicles, and the amount handed over to the sergeants' mess fund; is there a licence paid for such vehicles; are the horses Army horses and the drivers soldiers; do the military authorities pay any contribution to the up-keep of the roads; do the hackney-car owners of the Curragh district pay a weekly fee for the privilege of standing at the Curragh Camp for the purposes of hire; and will he inquire into the practice, if any, of the use by the military of vehicles in competition with the qualified and licensed car-owners of the Curragh district, with the view of discontinuing any such practice?

Mr. HALDANE: The Question concerns a matter of local administration on which the War Office has no information; but I have no objection to asking the General Officer Commanding-in-Chief in Ireland for a report, and I will let the hon. Member know the result of my inquiries.

Volunteer Camps.

Mr. McCRAE (Edinburgh, E.): I beg to ask the Secretary of State for War if he can state whether the Army Council consulted Volunteer opinion before arriving at the decision to abolish fourteen days camp training for next year; and whether the Institute of Commanding Officers of Volunteers unanimously approved of fourteen days training.

Mr. HALDANE: The Army Council's decision to abolish the fifteen days training of field Army battalions is based on reasons which I have already given to a Question by the hon. Member on 21st November last;† it implies no judgment as to relative value of the longer and shorter periods of training for Volunteers. On this latter question Volunteer opinion deserves, and will receive, full consideration.

Mr. McCRAE: Was not a proposal to abolish the fourteen days camp for one year only made by the right hon. Gentleman's predecessor, and had to be abandoned because it was so detrimental to the force?

Mr. HALDANE: I can only answer for my own misdeeds.

Mr. McCRAE: I beg to ask the Secretary of State for War if he can lay upon the Table of the House the Report of the Volunteer Advisory Board of 19th December, 1903, on fourteen days camp training.

Mr. HALDANE: The Reports and the statements made in the confidential conversations which are recorded make up a document which it would not be right to publish, but I will show it privately to my hon. and gallant friend. It was promised that it should be treated as confidential in order to encourage individual officers freely to express their views.

Mr. CARLILE (Hertfordshire, St. Albans): Was not the Report in favour of fourteen days training—were not the officers unanimously in favour of it?

Mr. HALDANE: I think it is very likely.

Indian Princes and the Official Gazette.

Mr. C. J. O'DONNELL (Newington, Walworth): I beg to ask the Secretary of State for India if he will forbid the unnecessary publication in the official gazette of personal orders regarding the feudatory princes of India, such as the recent restriction of their freedom to travel, which they regard as injurious to their ancient dignity and in contravention of their treaty rights; and whether he will deprecate the use by the India Office of the discourteous term "Native Chiefs" when referring to these princes of India, who are officially addressed as "Your Highness."

The SECRETARY of STATE for INDIA (Mr. Morley, Montrose Burghs): I see no reason, as at present advised, to issue orders as suggested in the first part of the Question. I am not sure that I perceive any discourtesy in the term "Native Chiefs," and I need hardly say no discourtesy can be intended.

Sierra Leone Rubber Trade.

Mr. SMEATON (Stirlingshire): I beg to ask the Under-Secretary of State for the Colonies whether the unrestricted powers of trading in india rubber, which the West African Produce Company possess in 4,000 square miles of the Sierra Leone Protectorate, confer a monopoly of trading in india rubber or in any other kind of forest produce on that company in the whole or any part of the specified area; whether any other trader or company can go into the region covered by the concession and trade in india rubber or in any other kind of forest produce; and can the native sell his rubber to whomsoever he will.

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† See (4) *Debates*, clxv., 814–5.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The Secretary of State cannot undertake to interpret the meaning of these concessions, which is a matter for the Courts of the Colony, but he is advised that it is doubtful, having regard to the law of Sierra Leone, whether the concessions are valid.

Transvaal Mines Department Returns.

MAJOR SEELY (Liverpool, Abercromby): I beg to ask the Under-Secretary of State for the Colonies if he can state whether all Returns of the Transvaal Government Mines Department will in future be open to the inspection of the public.

MR. CHURCHILL: The Secretary of State learns from Lord Selborne that the Chamber of Mines has consented to waive any objection to the publication of the mining Returns based on the ground of a previous understanding as to the figures relating to individual mines being confidential. The Mines Department is now engaged in preparing the Returns; their compilation is stated to be a work of great magnitude, and will take four or five weeks.

Recruitment of Chinese Coolies.

MAJOR SEELY: I beg to ask the Under-Secretary of State for the Colonies whether the recruiting of coolies in China, under the Convention of 13th May, 1904, has now been finally closed; and whether the recruiting agencies, set up with the assistance of British consular officers under the terms of that Convention, have been abolished.

MR. CHURCHILL: The British consular officers were instructed to resume, as from 30th November last, the functions delegated by them to the Transvaal emigration agents in respect of recruiting, and no recruiting under the Convention is now possible.

Tanjong Pagar Docks Arbitration.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Under-Secretary of State for the Colonies whether any representations have been received from the Governor of the Straits Settlements as to the difficulty the Colony will have in raising the money to pay for the Tanjong Pagar Docks; whether the nationalisation of those docks at the price named in the arbitration award will involve any increase in the dock dues at Singapore; and whether any discussion has taken place between the Colonial Office and the dock company as to the possibility of returning to the *status quo* before the question of expropriation was raised.

MR. CHURCHILL: The Secretary of State has no reason to suppose that the Colony will have difficulty in raising the money required, or that the amount of the purchase price will involve an increase in the dock charges. The Answer to the last part of the Question is in the negative.

Opium in the Malay States.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Under-Secretary of State for the Colonies whether he has any information relative to the anti-opium movement in Singapore and the Malay States; and, if not, whether His Majesty's Government will consent to make full inquiries with reference to this reported opium cure.

MR. CHURCHILL: The Secretary of State has received copies of Resolutions, passed at public meetings, advocating the suppression of the opium traffic. The latter part of the hon. Member's Question presumably refers to the alleged discovery of a plant which will cure the craving for opium. The Secretary of State has no information with regard to this matter beyond the statements which have been made in the public Press.

MR. ALDEN: Will the hon. Gentleman inquire further?

MR. CHURCHILL: Certainly, Sir.

Prison Labour in the Transvaal Mines.

MR. ALDEN: I beg to ask the Under-Secretary of State for the Colonies whether the Premier Diamond Company has offered the Natal Government £30,000 for permission to employ the rebel Zulu prisoners in its mines, the period of employment for such prison labour to last two years; and, if so, whether His Majesty's Government propose to take any action in the matter.

The following Questions also appeared on the Paper:—

Mr. MYER (Lambeth, N.): To ask the Under-Secretary of State for the Colonies whether he has any official information showing that the new Natal Government intend to open negotiations with the Premier Diamond Mining Company with the object of sending the native prisoners captured during the recent military operations in that Colony to work in the mines, and that the company offers £30,000 for their use for the next two years; and, if so, what steps he proposes to take in the matter; can he also state the number of prisoners taken; and whether there is any precedent in modern times, except in semi-barbarous countries, for the sending of political prisoners to work in mines.

Mr. BYLES (Salford, N.): To ask ask the Under-Secretary of State for the Colonies, has the Colonial Office received information that the new Natal Government is negotiating for the sale of Zulu political prisoners to the Premier Diamond Mines; and, if so, will the Imperial Government interfere to prevent such a transaction.

Mr. CHURCHILL: The Secretary of State has received no official information as to such intention on the part of the new Natal Government. I understand that the number of rebels who have been sentenced to imprisonment is 4,192.

Mr. BYLES: Can the hon. Gentleman state specifically if such a transfer would be contrary to the Act?

Mr. CHURCHILL said he did not think it would be, as the practice had obtained in South Africa for a long time. He could not say, on the spur of the moment, whether such a transference, if proposed, would require the assent of His Majesty's Government, but certainly they would be informed of it in time to make representations to the Natal Government, and in deciding they would be governed by the desire, as far as possible, to alleviate the condition of these people.

Mr. BELLOC (Salford, S.): Will the Colonial Office take care that the sum paid for this forced labour is equal or superior to the sum that would be ordinarily paid in wages for labour of a similar kind?

Mr. CHURCHILL: I think that is a very material and important point.

Mr. MYER: Will the right hon. Gentleman appoint a Commission to inquire if there ever was any rebellion among the natives?

*Mr. SPEAKER: That does not arise out of the Question.

*Mr. MOLTENO (Dumfriesshire): Can the hon. Gentleman see his way to suggest to the Natal Government that these 4,000 natives should be returned to their homes, where there is severe distress owing to scarcity of food in consequence of the women and children being left without their natural providers and protectors; it being unusual in cases of this kind to punish with great severity the whole of the rank and file?

Mr. CHURCHILL: I am very largely in sympathy with the desires of the hon. Member, and if any opportunity should occur which would enable the Colonial Office to bring them into reality or bring them near realisation, I can assure him that opportunity shall not be allowed to pass.

Mr. WILLIAM REDMOND (Clare, E.): Is there any case in which white prisoners of war are put on labour of this kind; if not, why are these men thus treated?

Mr. SWIFT MACNEILL (Donegal, S.): Will the hon. Gentleman communicate with the Governor of Natal, so that he may know the views of this House?

Mr. CHURCHILL: I will, of course, communicate with him.

British Indians in the Transvaal.

Sir WILLIAM BULL (Hammersmith): I beg to ask the Under-Secretary of State for the Colonies when the Government will lay the correspondence, in connection with the recent Transvaal Ordinance dealing with Indian subjects resident in the Colony, upon the Table.

MR. CHURCHILL: It is not possible to lay the correspondence until towards the end of this month, when Lord Selborne will have received the despatch conveying Lord Elgin's decision.

Illegal Flogging at Lagos.

MR. SUMMERBELL (Sunderland): I beg to ask the Under-Secretary of State for the Colonies if he has any official information showing that on twelve Jekri dock and wharf labourers at Lagos applying to a British port official there for their wages (which were due), stating that they were starving, this official ordered them on board the steam launch "Otto," took them out into mid stream and there administered to them twenty-five lashes each; and, if so, what action he intends to take in regard to the matter.

The following Questions also appeared on the Paper:—

MR. BENNETT (Oxfordshire, Woodstock): To ask the Under-Secretary of State for the Colonies whether he has any official information showing that a British port official at Lagos recently caused twelve native dock labourers, who applied for their wages, to be taken on board the steam launch "Otto," and to be given twenty-five lashes each; and, if so, whether the official in question has been arrested.

MR. HAROLD COX (Preston): To ask the Under-Secretary of State for the Colonies whether his attention has been called to the excitement among the native community of Lagos at the action of a British port official who, upon being applied to for money on 4th December by twelve Jekri men (dock and wharf labourers), ordered them on board the steam launch "Otto," took them out into mid stream of the river, and there had twenty-five lashes given to each, because the men asked for wages which were due and stated that they were starving; and whether he will at once inquire into these allegations.

MR. CHURCHILL: The Governor of Southern Nigeria reports that the incident in question, which occurred on the 2nd instant, was brought to his notice on the 6th instant, and that he immediately ordered an inquiry. The result of the inquiry was to show that the Port Officer, Captain Hughes, did not himself strike anyone, but that he ordered the native headman to do so because the men refused to work. The blows were inflicted with a small whip. Most of the men received only one blow each, and no one received more than six. The medical Report is to the effect that the flogging was not severe and that the men are not now suffering from any injuries. On four men there are no marks, and on the others only slight skin abrasions. The affair has been much exaggerated in the newspaper reports; but while these whippings do not appear to have been cruel or severe, they are of course illegal and improper. The port officer has been censured by the governor, and the Secretary of State reserves his decision as to any further action until he receives the Report which the governor has promised.

MR. WILLIAM REDMOND: Do the Government consider censure is sufficient punishment on an officer who has done this illegal act?

MR. CHURCHILL: We must see the official Report before expressing an opinion on it.

MR. WILLIAM REDMOND: I suggest that you give him five years penal servitude.

Sleeping Sickness Cure.

*MR. REES: (Montgomery Boroughs): I beg to ask the Under-Secretary of State for the Colonies whether he is aware that Sir Patrick Manson and Dr. Daniell have satisfactorily established the fact that a cure for sleeping sickness has been discovered by a medical practitioner in Ceylon; and, if so, whether he will supply the authorities in the British Central Africa and other Protectorates with the necessary information, in view of the apprehensions entertained in such quarters regarding the spread of this disease.

MR. CHURCHILL: I have communicated with Sir Patrick Manson, who informs me, I am sorry to say, that there is no truth in the statement to which my hon. friend refers.

British Indians and Central Africa.

*MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether the Colonial Office will consider the policy of offering land grants in the British Central Africa Protectorate to British Indians in the Transvaal who may be willing to emigrate thence.

MR. CHURCHILL: There is very little land at the disposal of the Government in the British Central Africa Protectorate. It is open to British Indians who emigrate to the Protectorate to acquire land under the regulations in force. But the information at the disposal of the Secretary of State does not lead him to suppose that it is at present necessary to offer special terms to such immigrants.

Transvaal Constitution.

*MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether jurisdiction over native races will be excluded or restricted in the forthcoming Transvaal constitution.

MR. CHURCHILL: Nothing can be added to the statements made to Parliament on this subject on 31st July until the letters patent are published.

Lions at Chiromo.

*MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to the fact that Messrs. Kennelly and Foster have announced that, as lions have taken complete command at Chiromo and suburbs, and unsettled native labourers to such an extent that they cannot carry on work in and around the township, they are reluctantly compelled to wind up their affairs after fulfilling their existing engagements; and whether he will cause inquiries to be made into the correctness of the information supplied to him as to the exaggeration of the damage done by lions in and around Chiromo.

MR. CHURCHILL: Such an announcement has in fact been made in the local press by Messrs. Kennelly and Foster, but the Commissioner is not certain whether the presence of lions is the sole and absolute cause of the dissolution of partnership between these gentlemen and of their withdrawal from business. He is indeed not wholly able to free his mind from the suspicion that the statement referred to contains some flavour of levity, which would, as my hon. friend will I am sure agree, be out of place in dealing with such a painful subject. Careful inquiry will, however, be made.

Brunei Coal Tax.

SIR EDWARD SASSOON (Hythe): I beg to ask the Under-Secretary of State for the Colonies whether it is proposed by his Department, or the Government of the Straits Settlements to impose an export tax on the coal raised from the Brooketon mine in the Sultanate of Brunei; whether he is aware that this mine is being opened out by His Highness the Rajah of Sarawak under a lease which has still about sixty years to run; that it has hitherto been developed at a financial loss to Rajah Brooke; and whether, seeing that on this new industry the loss entailed by this development is estimated at $80,000 for the incoming year, he will say on what principle such a tax would be imposed on a nascent industry which is being created at a sacrifice in an impoverished country, with the risk of causing the mine to be shut down, while on the other hand His Majesty's Government has recently withdrawn the duty levied on all coal exported from Great Britain.

MR. CHURCHILL: His Highness the Rajah of Sarawak has communicated direct to the Secretary of State his objections to the proposed export duty on coal referred to in the hon. Member's Question, and Lord Elgin has been glad to refer the matter to the High Commissioner for further consideration. Pending the latter's reply I am not in a position to make any statement on the subject.

Brunei Residency.

SIR EDWARD SASSOON: I beg to ask the Under-Secretary of State for the Colonies from what source the cost of the recently created residency at Brunei is found; if from the Federated Malay States and Brunei, in what proportions; whether the Secretary of State has had before him a copy of the petition, signed by the present Regent and his Ministers, addressed to His Highness the Rajah of Sarawak, praying for his influence to effect the absorption of Brunei into

Sarawak; and whether, in view of this and of local circumstances, the Colonial Office propose to assent to such absorption.

MR. CHURCHILL: The British President is also Colonial Secretary of Labuan and is paid from Labuan funds. In other respects the cost of the residency is borne by Brunei, aided by an imperial contribution of £600 which is made in return for the discharge by the President of the duties of Consul for Sarawak and North Borneo. A copy of the petition referred to has been communicated to the Secretary of State. It is signed by the Pengiran Bendahara, who is one of two joint Regents, and by certain other persons, most of whom cannot be identified. There is no reason to suppose that any considerable proportion of the people of Brunei desires annexation to Sarawak. The idea was strongly opposed by the late Sultan to whom a promise was given that his dynasty should be upheld. His Majesty's Government are not as at present informed, inclined to depart from the policy which has been adopted.

In reply to a further question,

MR. CHURCHILL said he was aware that the hon. Gentleman was well informed on this subject, and he proposed to arrange an interview for him with the Secretary of State at which the matter could be fully discussed.

Nigeria Railways.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Under-Secretary of State for the Colonies whether any decision has yet been arrived at by the Government in reference to railway development in Nigeria, and whether he can make any statement to the House.

MR. CHURCHILL: It has been decided by the Secretary of State that the Lagos railway shall be extended without delay from Oshogbo to Illorin. The policy in Northern Nigeria is still undetermined.

Colonial Conference.

MR. LONSDALE: I beg to ask the Under-Secretary of State for the Colonies whether the date for the assembling of the next Colonial Conference has been changed; and, if so, what is the reason for the alteration.

MR. CHURCHILL: The date of meeting of the Colonial Conference has not been altered.

Fresh Shipment of Chinese Coolies.

MR. G. GREENWOOD (Peterborough): I beg to ask the Under-Secretary of State for the Colonies whether a fresh shipment of Chinese coolies is about to leave, or has just left, China for the gold mines of the Transvaal; and, if so, what steps His Majesty's Government intend to take, in view of the assurances given on behalf of the Government that the last shipload of Chinese had gone to South Africa before the 15th November.

MR. CHURCHILL: The steamship "Cranley" left Ching-Wang-tao on 27th November with 1,000 coolies on board for the Rand. It is the last vessel that will carry Chinese coolies to South Africa, as the Consular authority to recruit and embark was withdrawn on 30th November. The coolies on board do not amount to a complete shipload, and are the remainder of those for whom licences had been issued. But I am quite free to admit to the House that the figures at my disposal had led me to believe that the total number of coolies licensed to be imported had already been accomplished without this last shipment, albeit incomplete, and the information contained in the newspapers was to me as unexpected as it was unwelcome.

MAJOR SEELY asked whether the hon. Gentleman would make further inquiries as to whether his first information was not correct that the whole 16,000 had already been sent; and, if so, whether he would take steps to have these men returned.

MR. CHURCHILL: If it should appear that any of these 1,000 men were not covered by the licences which the Cabinet have decided must be recognised, then I entirely agree that steps would have to be taken to prevent their landing in South Africa. But I think there is no chance of that being the case.

Abyssinia.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether the Emperor Menelik has signified his approval or otherwise of the arrangement entered into between His Majesty's Government and the Governments of France and Italy with reference to Abyssinia.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury; for Sir EDWARD GREY): The Emperor Menelik has expressed his thanks to the Governments of Great Britain, France, and Italy for the communication of the agreement to him, and for their intentions, declared therein, of maintaining the independence of Abyssinia. His Majesty at the same time stipulates that the agreement shall not in any way limit his own sovereign rights.

Morocco.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether the Sultan of Morocco has taken any steps to remedy the state of affairs at Tangier as the result of the collective note from the European representatives.

MR. RUNCIMAN: My right hon. friend has not yet received any report as to the result of the representation.

Macedonia.

MR. CHANCE (Carlisle): I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the statement of Baron d'Achrental that the improvement of the administration of justice in Macedonia must now be brought nearer realisation; and whether the Government will do all in their power to encourage and promote judicial reforms in that country.

MR. RUNCIMAN: The Answer to the first part of this Question is in the affirmative. As regards the second part, His Majesty's Government have always recognised the great importance of this point, and will certainly do all in their power to encourage judicial reform in Macedonia, and to promote it in concert with all the other Powers concerned.

Salonica Outrage.

MR. W. D. WARD (Southampton): I beg to ask the Secretary of State for Foreign Affairs whether he has any information relating to the murder of a Vlach in the streets of Salonica and the murder of four Vlach peasants by a Greek band near Karaferia; and whether he will consider the advisability of making further proposals to the Powers directed to the prevention of such outrages in Macedonia.

MR. RUNCIMAN: His Majesty's Government have no information relating to the murder of a Vlach in the streets of Salonica, but have heard of an attack by a Greek band on four Vlachs on the road between Doleni and Kovardjik. As regards the last part of the Question, His Majesty's Government have constantly under consideration the possibilities of mitigating the disorders in Macedonia, and will continue to do all they can in concert with other Powers to improve the state of affairs.

Income Tax Repayments.

MR. FELL (Great Yarmouth): I beg to ask Mr. Chancellor of the Exchequer if he is aware that the Income Tax Departmental Committee of 1905 reported that the raising of the income tax from 8d. in the year 1900 to 1s. 2d. in 1901 increased largely and rapidly the claims for repayment; and if any estimate can be formed from the figures then obtained of the sums which are stlll overcharged each year to the smaller payers of income tax, owing to the method of deducting the tax from their dividends before they are received and leaving them to get the tax back.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E): The Board of Inland Revenue have no materials upon which it would be possible to frame an estimate of how many taxpayers, entitled to claim repayment of income tax, fail to make claims, or of the aggregate amount of money involved.

Income Tax—Relief for Married Persons.

SIR WILLIAM BULL: I beg to ask Mr. Chancellor of the Exchequer whether he will take into consideration in his next Budget, or in any new scheme for income tax, the advisability of allowing greater relief to married persons and, in particular, to married persons with families dependent on them.

MR. ASQUITH: In the consideration which I am giving to the subject of income tax, I will not lose sight of the hon. Member's suggestion.

Income Tax on Colonial and Foreign Securities.

SIR WILLIAM BULL: I beg to ask Mr. Chancellor of the Exchequer under what section of the Act the Board of Inland Revenue refuse to refund income tax to British subjects resident abroad upon interest of Colonial and foreign Government securities, on the ground that these are assessed under Schedule C and not under Schedule D, as are dividends of other foreign securities, this notwithstanding the 188th section of 5 and 6 Victoria, cap. 35.

MR. ASQUITH: Under Schedule D., liability, in respect of income arising out of the United Kingdom, is only incurred by residents within the United Kingdom, and therefore the interest on foreign and Colonial securities chargeable under that schedule is not liable to duty when received by any person resident outside the United Kingdom, although the payment may be actually made within the United Kingdom. Under Schedule C, income tax is chargeable in respect of all Colonial and foreign Government securities, the interest of which is payable in the United Kingdom. By administrative Treasury concessions of very long standing, exceptions from the charge under Schedule C are made in favour of:—(*a*) Foreign and Colonial securities owned by foreigners resident abroad; (*b*) Colonial stock owned by inhabitants of the colony contracting the loan. Section 188 of the Act of 1842 has no application to the point raised by the Question.

SIR WILLIAM BULL: I beg to ask Mr. Chancellor of the Exchequer whether there is a Treasury Minute granting to foreign subjects resident abroad relief from income-tax upon foreign and Colonial securities, the dividends of which are payable in the United Kingdom, relief which is refused by the Inland Revenue to British subjects residing abroad; and, if so, whether he will cause a copy of such Treasury Minute to be laid on the Table.

MR. ASQUITH: The authorities under which the Board of Inland Revenue act are Treasury Letters dated 7th October, 1842, and 5th August, 1856, copies of which I have laid on the Table.

Canadian Three per Cents.

MR. FELL: I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to the fact that Canadian Three per Cents. now stand at a higher price than some of the securities guaranteed by the English Government; whether the credit of any colony has ever before stood higher than the credit of the Mother Country; and what steps, if any, he can take to remedy this condition, which is causing uneasiness among the investors of this country.

MR. ASQUITH: The comparative credit of two countries cannot be fairly judged by the relative prices of two stocks, one of which is directly charged upon the Revenues of the first country, while the other is merely guaranteed by an indirect charge on the Revenues of the second country. The date at which the stocks are respectively redeemable is also a material circumstance. I am glad to note the satisfactory price of the Canadian Three per Cents.; but a comparison between the yield which this stock and Consols return respectively to the investor at current prices will shew that it is not correct to say that the credit of the colony stands higher than that of the Mother Country.

Income Tax on Companies' Profits.

MR. FELL: I beg to ask Mr. Chancellor of the Exchequer if he can state the difference between the amount of the profits shown in the balance sheets of companies supplied to the Income Tax Commissioners, and on which income tax is paid, and the amount of the dividends actually paid by these same companies to the shareholders; and whether, in view of the amount of this difference, he will give instructions or introduce legislation to enable the companies to obtain exemption or abatement from the proportion of such profits which belongs to those shareholders although not distributed amongst them.

MR. ASQUITH: The records of the Board of Inland Revenue do not contain the information necessary for such a comparison. Under the Income Tax Acts a company is chargeable on the whole of its profits, whether distributed to the shareholders or not, and I am not prepared to recommend to Parliament a change in the law in the direction suggested.

Trustee Stocks.

MR. STRAUS (Tower Hamlets, Mile End): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that, owing to the knowledge of the stock markets that fresh issues of certain Home trustee securities are likely to be shortly made, Canadian Three per cent. Stock stands higher than some trustee stocks guaranteed by the British Government; and whether he will take steps to prevent, anyhow for some years, any new issues of trustee securities by the Government or municipalities from ranking as trustee investments, and so improve the value of existing trustee stocks and better the credit of the country.

MR. ASQUITH: I do not think that, in determining what stocks are to be, and are not to be, "trustee" securities, it would be legitimate to have regard to any considerations other than the merits of the stocks themselves. In the cases referred to by my hon. friend new issues as a rule rank *pari passu* with existing issues, and there is therefore no ground for such discrimination as is suggested. I have no doubt that the fact that further issues of certain stocks which are guaranteed by the British Government are anticipated has a good deal to do with the present low range of prices of such stocks, as compared not only with Canadian Three per cents., but also as compared with Consols (in regard to which the difference is still more marked); but I cannot think that our credit would be enhanced by an arrangement implying that we no longer regarded our guarantee as of sufficient value to justify a trustee investing in a security which carries it.

Payment of Members.

LORD R. CECIL (Marylebone, E.): I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to the recent action of the French Chamber in raising the stipends of all its members from £360 a year to £600; and whether he can indicate at what date he is likely to be able to provide the sum of £402,000 a year, which would be required to pay a salary of £600 a year to every Member of the British House of Commons.

MR. ASQUITH: The Answer to the first part of the Question is in the affirmative, and to the second part in the negative.

Juvenile Offenders.

MR. WEDGWOOD: I beg to ask the Secretary of State for the Home Department whether he will insert in the Bill relating to children's offences now being prepared by him provisions to enable a fine inflicted on an offender under the age of sixteen to be recovered against the parent, except the parent shall satisfy the Court that the offender is beyond his control, and to suspend the execution of a sentence of imprisonment, whether in default of a fine or not, passed by a Court of summary jurisdiction on such an offender, until it has been confirmed by the Home Office.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Section 2 of the Youthful Offenders Act, 1901, imposes liability on parents and guardians for offences committed by children under sixteen in certain cases, and I do not think it would be practicable or just to push that liability further. Nor do I think it would be right to impose on a Government Department such a duty as is indicated in the latter part of the Question. When offences against the law are committed by persons under sixteen the question what punishment, if any, should be imposed must be decided, as in other cases, by the judicial tribunals that hear the evidence and have the defendants in person before them.

Corporeal Punishment in Prisons.

MR. LLOYD MORGAN (Carmarthenshire, W.): I beg to ask the Secretary of State for the Home Department whether, in the Returns presented to the House of all sentences of corporeal punishment inflicted upon prisoners between the 1st of January and the 31st December, 1904 and 1905 respectively, the number of strokes ordered by the respective Judges were in fact inflicted; whether there were any cases during the said period in which the whole or any part of the sentence was remitted or was not imposed; and, if so, whether he will give the number, and state the details of such cases mentioned in the Returns.

MR. GLADSTONE: In all, except one, of the cases mentioned in the two Returns relating to indictable offences the number of strokes ordered by the Judge were inflicted. The one exception was in the case of J. F., convicted at the Central Criminal Court on 28th July, 1904, and ordered to receive six strokes. In this case the prisoner was found to be medically unfit.

Indictable Offences—Convictions in 1905.

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Secretary of State for the Home Department whether he can state the number of convictions for indictable offences during the year 1905 against clergymen of the Church of England and ministers of other religious denominations, solicitors, company promoters, licensed victuallers, bookmakers, and moneylenders respectively.

*MR. GLADSTONE: No, Sir. To obtain the information asked for by the hon. Member would involve the separate examination of some 50,000 records of criminal cases; and even if it were possible to undertake this labour, the results, depending as they would necessarily do on statements made by the prisoners themselves, would be of small value. There would, for instance, be hardly any bookmakers, as I understand that gentlemen of that profession almost invariably return themselves either as accountants or as commission agents.

MR. BOTTOMLEY: But have you not the information at the Home Office in connection with the forthcoming publication of judicial statistics for 1905, and did not the right hon. Gentleman accept the declarations of prisoners on a recent return as to their religious persuasions?

*MR. GLADSTONE: I cannot enter into an argument. It is not the case that we have the information at the present time.

Privilege Cabs.

SIR SAMUEL SCOTT: I beg to ask the Secretary of State for the Home Department whether he can state what has been the result of his negotiations with the railway companies with respect to the recommendations of the Select Committee on Cabs and Omnibuses on the question of the privilege cab system, and what action, if any, he proposes to take; whether he proposes to amend the existing order with respect to sub-letting of cabs in accordance with the recommendation of the same Committee; and, if so, whether he can state when the new order will be issued.

*MR. GLADSTONE: I regret that the negotiations up to the present have not been altogether satisfactory. Failing agreement, the only alternative course would be legislation. As regards the second part of the Question I am awaiting a report from the Commissioner of Police, which I understand will reach me very shortly.

Conviction of a Northumberland Justice.

MR. LEIF JONES (Westmoreland, Appleby): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of Henry Oswin Bell, J.P., licensee of the Earl Grey Arms, Broomhill, Northumberland, who was fined £2 and costs at Morpeth petty sessions on 27th November last, for having permitted drunkenness upon his premises on Sunday, 21st October; whether he is aware that Sergeant Short, of Broomhill, stated that on that Sunday afternoon fifty people left the public house more or less under the influence of drink; that he described the scene as a drunken procession to the village, and stated that he had never known a worse conducted house than the Grey Arms; whether he is aware that this licence was granted to the Northumberland Public House Trust Company, of which Mr. Henry Oswin Bell is the secretary, and that Mr. Henry Oswin Bell is a justice of the peace for the county of Northumberland, as well as licensee of this public house; and whether in view of this and similar breaches of the law owing to imperfect supervision, he will take steps by legislation or otherwise to secure that the holders of licences shall be resident upon the premises in respect of which they are licensed.

*MR. GLADSTONE: I had not heard of the case in question, and as my hon.

friend knows, I have no power under the existing law to take the course suggested. I will consider the matter in connection with the proposed Licensing Bill, but I do not desire at present to express any opinion on the suggestion.

Telegraphic Delays in Wales.

*Mr. REES: I beg to ask the Postmaster-General whether he is aware that inconvenience is caused at Carno and at other places in Central Wales in which the telegraph office is at the railway station, where telegrams are detained owing to the other occupations of the staff, and because preference is necessarily given to railway messages; and whether he will consider the advisability of having a telephone at the local post office in such cases, in order to expedite the delivery of telegrams.

The POSTMASTER-GENERAL (Mr. Sydney Buxton, Tower Hamlets, Poplar): I am aware that inconvenience is caused at certain places in Central Wales by the delay of telegrams owing to their being dealt with at railway stations, and that such delay is attributable to the causes given by the hon. Member; but the local Postmaster is not aware that Carno is one of the places which suffers inconvenience on this account. In 1903 the residents in Carno asked for the extension of telegraph business to that office; and, as the probable business was small, the extension was offered under guarantee. The offer was not accepted, but I am still prepared to undertake the extension under guarantee. The terms are now more favourable to the guarantors, as, under the concession announced in April last, they would now be liable for one-third only, instead of one-half, of any deficiency.

Carno Postal Arrangements.

*Mr. REES: I beg to ask the Postmaster-General whether he will arrange for a second delivery and despatch of letters at Carno and at Cemmes, in Montgomeryshire; and whether he will provide a wall letter box in the village of Carno at a distance of half a mile from the post office, and at or near the railway station.

Mr. SYDNEY BUXTON: I have called for a report on this subject, and on its receipt I will acquaint the hon. Member with the result.

Tiree Mail Service.

Major ANSTRUTHER-GRAY: I beg to ask the Postmaster-General whether his attention has been called to the condition of the mail service of Tiree, and to the fact that, although a steamer is timed to bring mails three times weekly, none were landed between the 19th and 26th November owing to the exposed position of the landing place at Scavinish, although, by going a mile further, a landing could be affected in calm water at the Bay of Gott; and whether he will consider the best means of improving these conditions.

Mr. SYDNEY BUXTON: I am aware that, owing to stormy weather, the mail steamer did not call at Tiree between the 19th and the 26th ultimo. The question of arranging for the steamer to call at Gott Bay instead of Scavinish has been considered on many occasions in the past, but such an alteration was found to be impracticable. No recent inquiries have, however, been made, and I have, therefore, called for a fresh report on the subject. On its receipt I will communicate the result to the hon. Member.

Portuguese Fish Duties.

Mr. CROMBIE (Kincardineshire): I beg to ask the President of the Board of Trade whether he is aware that the Portuguese Government are contemplating raising the import duty on fresh fish from ten to thirty-nine reis, which will seriously affect the trade of British and German trawlers which fish off the coast of Morocco and land their catch in Portugal; and whether he will remonstrate with the Portuguese Government.

The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Mr. Kearley, Devonport): I am aware that a Bill has been brought in by the Portuguese Government to raise the duty on fish in the manner stated. The matter is engaging the attention of His Majesty's Government.

United States Import Duties on Works of Art.

Mr. LONSDALE: I beg to ask the President of the Board of Trade whether he is yet in a position to state the result of the communications which have passed between His Majesty's Government and the Government of the United States with reference to the import duty levied in the United States upon British works of art, which is at the rate of 20 per cent. *ad valorem*, as compared with 15 per cent. charged upon works of art imported from other European countries.

Mr. KEARLEY: I am not yet in a position to give the hon. Member any further information as to the communications which are passing.

Mr. LONSDALE: Will it be given before the prorogation?

Mr. KEARLEY: I can name no date.

Commercial Mission to Canada.

Mr. LONSDALE: I beg to ask the President of the Board of Trade whether Mr. Richard Grigg has been sent by the Board of Trade on a special tour to Canada; and whether he will state the purpose of his visit.

Mr. KEARLEY: Mr. Grigg has been sent to Canada on the recommendation of the Commercial Intelligence Committee on a commercial mission similar to those already undertaken to South Africa, Australia, and New Zealand and other countries. The purpose of his visit is to inquire into the condition and prospects of British trade in the Dominion, and to suggest the names of suitable gentlemen for the position of correspondents of the Commercial Intelligence Branch of the Board of Trade in various parts of Canada.

New Welsh Official Receiver.

Mr. ASHLEY (Lancashire, Blackpool): I beg to ask the President of the Board of Trade whether Mr. Owen Ellis has been appointed as an official receiver in Wales; and whether such an appointment necessitates any qualification of a legal character.

Mr. KEARLEY: Mr. Ellis Owen—not Mr. Owen Ellis—has been appointed as an official receiver in Wales. The Answer to the second part of the hon. Member's Question is in the negative.

Mr. ASHLEY: Is there any precedent for appointing to such an office a gentleman without legal qualifications?

Mr. KEARLEY: I am not quite sure, but I think there is.

Merchandise Marks.

Mr. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the President of the Board of Trade whether his attention has been drawn to the fact that match-boxes manufactured abroad and imported into this country, bearing no mark of origin, are then filled with matches and labelled with the name of a firm of manufacturers in the East End of London, preceded by the words "manufactured by"; whether he is advised that this practice is a violation of the Merchandise Marks Act; and, if so, will he take steps to stop the practice.

Mr. KEARLEY: The question whether the practice complained of is a violation of the Merchandise Marks Act depends upon whether in the particular case a false trade description has been applied to the box. If a complaint is lodged with the Board of Trade in accordance with the regulations framed by the Department, a copy of which I have caused to be furnished to my hon. friend, it will be carefully considered with a view to prosecution if the circumstances disclosed and evidence are such as to justify such a course.

Mr. KEIR HARDIE (Merthyr Tydvil): If the law does not meet the case, will the Board of Trade undertake to amend it?

Mr. KEARLEY asked for notice of the Question.

Education Estimates.

Mr. ASHLEY: I beg to ask the President of the Board of Education whether he is now able to announce the detailed estimate upon which the Treasury has granted an extra expenditure of £1,000,000 under the Education Bill.

The SECRETARY to the BOARD of EDUCATION (Mr. Lough, Islington, W.): The Board have nothing to add to the reply given to this precise Question on 22nd May last,† and to the statement made by the President on 9th April on this matter when introducing the Education Bill.

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† See (4) *Debates*, clvii., 1118.

MR. ASHLEY: How can we discuss the Education Bill without this information?

MR. LOUGH: It can be discussed on the information given in the Vote.

MR. ASHLEY: Which is nothing at all.

Swansea Education Dispute.

LORD R. CECIL (Marylebone, E.): I beg to ask the President of the Board of Education whether he is aware that all the teachers in the Swansea Church schools, including head, certificated, and uncertificated, are at present in receipt of salaries less than the corresponding salaries of teachers in the council schools, and less than they would have received under the arrangements originally made with them by the managers; and whether he can inform the House when he will receive the opinion of the law officers for which he is waiting.

MR. LOUGH: As I have already stated, I cannot at present enter into the matter of alleged differentiation between salaries of teachers in council schools and salaries of teachers in voluntary schools in Swansea, nor am I yet in a position to say by what date I shall be in possession of what it is necessary for me to have in the way of legal advice before I can enter into that question.

LORD R. CECIL: When were the law officers asked to give their opinion?

MR. LOUGH: I cannot say, but I will inquire.

Registration of Still-born Children.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the President of the Local Government Board whether he has considered the advisability of introducing a Bill to deal with the registration of still-born children; and, if so, whether he can deal with the subject of death certification generally or partially, in accordance with the recommendations of the Select Committee of 1893.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I think that it is desirable that the law as to the registration of still-born children should be amended when a suitable opportunity offers; but I am not in a position at present to promise a Bill on the subject, or to say how far any such Bill could deal with the other matters referred to in the Report of the Select Committee.

War Office Buildings.

MR. W. T. WILSON (Lancashire, Westhoughton): I beg to ask the First Commissioner of Works whether he is aware of the amount of overtime at present being worked at the new War Office, especially by the carpenters and joiners; and whether, in view of the lack of employment in the building trade, he will endeavour to put a stop to the overtime with the object of finding employment for some of those who are at present unemployed.

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale): The overtime now being worked at the new War Office is unavoidable in connection with the removal of the Department into the building. The removal could not be efficiently carried out by the double-shift system, even if the amount of overtime would justify resort to that method. It is my wish to utilise the double-shift plan whenever and wherever the circumstances warrant its adoption, and I long ago gave stringent orders to this effect.

Petitions against the Education Bill.

MR. NIELD: I beg to ask the hon. Member for the Holmfirth Division, as Chairman of the Public Petitions Committee, if he will state how many petitions have been presented in favour of and against the Education (England and Wales) Bill respectively; and what aggregate number of signatures such petitions represent respectively, distinguishing how many of such petitions are officially signed by a chairman on behalf of a meeting or otherwise in a representative capacity.

*MR. H. J. WILSON (Yorkshire, W.R., Holmfirth) replied that there was some difficulty in giving a precise reply, but the total number of signatures which appeared to be, broadly speaking, against the Bill was 802,899. They were contained in 6,938 petitions, fifty of which were signed by chairmen of meetings. There were certain petitions for alterations of the Bill, but he had no information, without long search, as to what the nature of those alterations was. The twenty-nine petitions in favour of the Bill contained 175 signatures. Fifteen were signed by chairmen.

Civil Service Retirement Regulations.

SIR G. KEKEWICH (Exeter): I beg to ask the Secretary to the Treasury what is approximately the number of persons who, being employed in clerical work under conditions similar to those imposed upon the aged writers in the Board of Education, will, like them, be discharged with £100 gratuity each, and without a pension, as soon as age renders them unfit for further service.

MR. RUNCIMAN (for Mr. McKENNA): So far as my information serves, the number of writers who are eligible on retirement for the gratuities allowable under the Treasury Minute of 1886 (including those in the employment of the Board of Education) is thirty-one

Gratuities to Civil Servants.

SIR G. KEKEWICH: I beg to ask the Secretary to the Treasury what was the total amount expended in each of the last three financial years on awards of gratuities of £100 each to persons employed on clerical work in Government Departments.

MR. RUNCIMAN (for Mr. McKENNA): I am informed that the Answer to my hon. friend's Question is, in 1903–4, £400; in 1904–5, £400; in 1905–6, £100.

Transport in Tiree.

MAJOR ANSTRUTHER-GRAY: I beg to ask the Secretary for Scotland whether he will endeavour to improve the condition of the inhabitants of Tiree with respect to their means of transport to and from the mainland.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): If any reasonable proposals to effect the purpose indicated in the hon. Member's Question are laid before me they shall be considered.

Dublin Telegraphists' Reliefs.

MR. DELANY (Queen's County-Ossory): I beg to ask the Postmaster General if he is aware that a regulation has been laid down by the Controller of Telegraphs in Dublin prohibiting telegraphists on eight hours continuous duty from having more than one incidental relief of ten minutes duration; and will he see that the regulation is immediately withdrawn in the interest of the health of the staff.

MR. SYDNEY BUXTON: No regulation of the kind has been laid down, but steps have been properly taken at Dublin to prevent the abuse of casual relief in the case of a few officers. In any case where there was any suggestion of possible injury to health the medical officer has been consulted.

MR. O'SHAUGHNESSY (Limerick, W.): How many men work this continuous duty?

MR. SYDNEY BUXTON asked for notice of the Question.

Transvaal Constitution.

MR. LONSDALE: I beg to ask the Prime Minister whether he can name a day for the discussion of the letters patent granting the new Constitution to the Transvaal and the subject of land settlement in South Africa.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): Next Monday.

Gambling Legislation.

MR. BOTTOMLEY: I beg to ask the Prime Minister whether, in view of the Government's intention to regulate the practice of gambling in the Malay States so that it may do as little harm as possible, he will consider the desirability of introducing similar legislation for the United Kingdom.

SIR H. CAMPBELL-BANNERMAN: No, Sir.

Premature Publication of Official Documents.

LORD R. CECIL asked the Prime Minister whether he could inform the

House what was the reason why the Report of the Royal Commission on Corrupt Practices at Worcester had been published before it had been circulated to Members of that House.

SIR H. CAMPBELL-BANNERMAN: I was not aware of the fact, but if it is the fact it is another instance of the extraordinary facility with which some things get most improperly into the Press before Members of the House receive them. There are so many cases. I do not know what can be done to prevent it.

The Transvaal Constitution.

MR. BRIDGEMAN (Shropshire, Oswestry) asked the Prime Minister whether his attention had been called to the fact that yesterday a detailed and categorical summary of the proposed Transvaal Constitution was published in *Reynold's Newspaper*, whether he could explain how this occurred, and what action he proposed to take in view of the fact that this was not the first time that a breach of confidence had been committed in that newspaper.

MR. CHURCHILL: I have certainly seen the report referred to, and, as the hon. Gentleman says, it gives a categorical account of certain points in the Transvaal Constitution; but that is hardly surprising in view of the fact that I laid all these matters very fully before the House on 5th July last, before we rose for the autumn holidays. As far as I have been able to see there is nothing in the newspaper referred to which was not contained then in my speech. It seems evidently to have been, not a case of intelligent anticipation on the part of the Press, but of intelligent revival.

NATIONAL GALLERIES OF SCOTLAND (EXPENSES).

Committee to consider of authorising the charge on the Consolidated Fund of an annuity presently payable out of moneys provided by Parliament, and of authorising the payment, out of moneys provided by Parliament, of expenses incurred under any Act of the present session to establish a Board of Trustees to manage the National Galleries of Scotland; and for other purposes (King's Recommendation signified), to-morrow.—(*Mr. Whiteley.*)

EDUCATION (ENGLAND AND WALES) BILL.

Order read, for Consideration of Lords' Amendments.

MR. PAUL (Northampton) asked for Mr. Speaker's ruling on a point which seemed to him of some constitutional importance—whether the Lords' Amendments taken as a whole were not a serious and substantial encroachment upon the privileges of the House. The famous Resolution passed by the House of Commons in 1678, declared—

> "That all aids and supplies to His Majesty in Parliament are the sole gift of the Commons, and all Bills for the granting of any such aids and supplies should begin with the Commons; that it is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills the ends, purposes, and considerations and—"

he begged the House to note these words—

> "conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords."

That Resolution was far more drastic and comprehensive than the kindred Motion carried by the House after the departure of the Stuarts in 1692, because that related to taxation only, and yet it was that Motion, repeated by the House on a Motion of Lord Palmerston in 1860, which enabled Mr. Gladstone, by an ingenious device, to deprive the House of Lords, as it was supposed, for ever of all control over the taxation of this country. The first clause of the Education Bill as it left this House ran—

> "On and after the first day of January, 1908, a school shall not be recognised as a public elementary school unless it is a school provided by the local education authority."

And a public elementary school was a school entitled in the first place to a grant from the Exchequer, and in the second place to a contribution from local rates. His contention was that this was the governing clause of the whole Bill, and that almost all the other clauses contained modifications or qualifications of it, or exceptions from it. The Lords had amended it by alterations of date which were not material, and by these words—

> "And unless some portion of the school hours of every day is set apart for the purposes of religious instruction."

He submitted that that was a substantial change of the conditions under which a school was entitled to grants of public money. Clause 13, which provided an additional Parliamentary grant of £1,000,000, the Lords had not amended, but he cited it to show that the grant of public money applied to every part of this Bill. He maintained that the Bill was not an education Bill with financial clauses, but a financial Bill with educational clauses. As a sample of the Lords' Amendments he cited that which provided that where an order was made allowing a school to continue as a State-aided school the Board of Education might pay to the school a Parliamentary Grant as if it were a public elementary school, notwithstanding anything contained in the Act. He submitted that that was a distinct alteration of the conditions made in regard to a pecuniary grant from public sources. He had not been able to find that the precise point he was raising had been decided by any of Mr. Speaker's predecessors; but there was such a thing as indirect evidence, and there were few things more valuable in controversy than the deliberate admissions of the other side. This was not a question between Parties, but between two Houses of Parliament; therefore every peer was a hostile witness. The question had been twice raised in the House of Lords, in 1897 and 1902, both times on Education Bills. In 1897, Lord Halsbury denied the right of the peers to make any alteration in Committee upon the Voluntary Schools Bill. He was, of course, aware that the Lord Chancellor had no authority in another place; there could be no authority where equality, fraternity, and anarchy prevailed. Amendments by Lord Spencer and the late Lord Kimberley were withdrawn in consequence of Lord Halsbury's pronouncement. So much for the Bill of 1897. The Bill of 1902 was no more a money Bill than the present measure. In fact he should contend that it was far less financial, but when it went up to another place the same question was raised, and Amendments were withdrawn, or not put, on the same ground. Lord Halsbury on that occasion did not commit himself, but another great lawyer, Lord Davey, made a very important utterance. He ventured to refer to Lord Davey both because he was an eminent Judge and because he himself desired to make in that Bill vital changes, and when he said vital he meant mortal. Lord Davey's speech delivered on 9th December, 1902, was so short and so full of matter that he would conclude what he had to say by reading it—

> "My Lords, I should not presume for one moment to set my opinion against that of the noble Duke, who has had such a vast experience of Parliamentary life, larger, perhaps, than that enjoyed by any other Member of your Lordships' House. I am, however, bound to say that it is not my opinion alone, but also the opinion of others better qualified to speak, that the Resolution of the House of Commons of 1678, which has now been acquiesced in by this House for upwards of 300 years" [he supposed that should be 200 years], "no longer remains a mere Resolution, but has become part of the constitutional law of this country. I quite agree with what was said by the noble and learned Lord on the Woolsack the other night, that in a Bill of this kind, which deals not only with finance but also contains a number of other provisions, we need not be too particular in scrutinising Amendments which may affect either the 'conditions, qualifications, or limitations' of the grant which is made by the Bill. But undoubtedly this Bill does come within the definition 'aid or supply' to His Majesty, referred to in the Resolution of 1678, and the constitutional practice of this House arising out of that Resolution has been not to interfere with either the amount, extent, or incidence of the rate which such a Bill enabled a local authority to raise. I have given careful study to the provisions of this Bill, and endeavoured to make myself acquainted with its clauses, and the conclusion I have come to is that every Amendment of importance is so dependent on questions of finance, either of rating or of Parliamentary grant, that it would be difficult, if not absolutely impossible, to make any Amendment of real substance, such as some of us on this side of the House would desire to make. . . . I will take another example. There is a good deal of difference of opinion with regard to Clause 7, which imposes on the local education authority the obligation of maintaining denominational schools, and there are many things in it which we would like to alter. I feel very strongly, for instance, on the provision, which was not in the original Bill, which enables the trustees on a charitable trust to charge a rent for the use of the master's residence. I find tucked away in the clause the words, 'Compliance with this section shall be one of the conditions required to be fulfilled by an elementary school in order to obtain a Parliamentary grant.'"

He submitted that almost every one of the provisions of this Bill was a provision for obtaining a Parliamentary grant and a rate as well. He submitted to Mr. Speaker, the supreme authority on this question, whose word in this House was law, that the representatives of the people, equally proud of this House and equally jealous of its privileges, on whatever benches they might sit, could not protect their rights and the rights of those who sent them here, unless they refused even to consider any of the Lords' Amendments which affected either the amount or the distribution or the condition of any pecuniary grant from the National Exchequer or from the local rates.

*MR. SPEAKER: I am much obliged to the hon. Member for Northampton for having given me private notice of his intention to raise this very important question. I understand the argument which he submits to me is this—that this House ought not to consider any of the Amendments which have been sent up from the other House by reason of the fact that these Amendments will or may alter the conditions under which the Parliamentary grant has been in the past or will be in the future given to the schools of the country. But the hon. Member dealt in the course of his argument with the question of Clause 13. With regard to that I will dispose of it first, and say that in my opinion the Bill is not governed by Clause 13. That clause might be excised from the Bill entirely, and yet the Bill would stand good, and could be applied and administered. The Bill was not brought in as a money Bill, and it has not been treated as a money Bill. No Amendment has been moved on Clause 13. Therefore, so far as Clause 13 goes, I do not think any infringement of the privileges of this House has been committed. There are certain Amendments which, as they come up, I shall be prepared to deal with, and shall be ready to advise the House as to my opinion whether they are or are not infringements of the privileges of this House. But the hon. Member goes beyond that, and asks me to rule that all the Amendments are infringements of the privileges of this House. In asking me to do that I think he is asking me to press the position which this House has taken up on questions of privilege far beyond the rule which has hitherto obtained. If the argument of the hon. Member were pressed to its logical conclusion it would prevent the House of Lords from dealing with any question which affected the Army, or the Navy, or the Civil Service, or with any object whatever for which any grant is voted by this House. I do not think that that is the intention of the Resolution which he cited; and it certainly has not been, up to the present time, the practice of this House to press its privileges so far. Therefore, I am driven to the conclusion that the hon. Member has asked me to lay down a rule which has never hitherto been adopted by this House, for which he himself said he was unable to find any direct precedent, and for that reason I cannot accede to the view he has put forward. He cited two cases in support of his argument. With regard to the Voluntary Schools Bill of 1897, that was introduced as a money Bill in Committee of the Whole House, and was treated as a money Bill throughout. Therefore that precedent, I venture to say, does not apply. With regard to the Education Act of 1902, it is true that certain objections were taken in the other House to amending that Bill, but nevertheless the Bill was amended in the other House; and when the Bill came back to this House no question was raised as to a breach of privilege having been committed; and therefore no ruling on the point was given, from which it may be assumed that this House accepted the view that it was within the power of the other House to make the Amendments which they then made. For these reasons I feel myself unable to make the ruling which the hon. Member proposed.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): Once more the scene shifts to the House of Commons. I think I shall be following precedent and certainly consulting the convenience of the House if I am allowed now to state the view which His Majesty's Government takes of the present position—which is one of gravity, both as affecting the Education Bill and also in its constitutional character—and to state the course which they propose to advise the House to adopt in regard to the Lords' Amendments. But the moment I begin to essay this somewhat difficult task I find myself, however closely I may restrict myself to the Lords' Amendments, doing something which is very like asking the House once more, for the second time in the short compass of one Parliamentary year, to consider the provisions of another Education Bill. I say that because I am persuaded there is no man in this House, sit where he may, who does not full well recognise that in no conceivable circumstances would it have been possible for this House, constituted as it is at present, to read the second time any such Bill as that which has been sent to us by the House of Lords. The Government commands an unusually great majority. My right hon. friend the Prime Minister commands in an unparalleled degree, I venture to think, the affection and confidence of the House. But no majority, however big, no loyalty, however great, would have been sufficient to carry the Second Reading of such a Bill as the Bill now before us. Our own Bill presented some difficulties. The Bill as amended would have presented none, for it would have been from first to last a sheer impossibility.

But the peculiarity of the position does not stop there. If this Bill as amended by the Lords represented a genuine intellectual effort on the part of another place to come to the assistance of this harassed assembly, to do its work in a more orderly and better considered fashion than it can do for itself, such a Bill—even although it would be impossible for his Majesty's Government to recognise the right of the Opposition in another place—a permanent and most unfriendly Opposition—to draft our measures for us—would have a certain amount of interest, it might be only of an antiquarian nature, and I dare say we should have found its perusal and consideration useful to us in some particulars. But we are carefully prevented from any such view of the Lords' Amendments, for they have accompained their own Bill to the very portals of our House with expressions almost of vituperation and contempt. They do not recommend it to us. They do not say it is a good Bill; indeed, they say it is a bad Bill. I do not complain that they say it is fundamentally a bad Bill, because of course by that they mean that there still lurks in it some portion of its original badness. The original goodness, in my sense of the word, still is to be found adhering to it. They assure us it is an unworkable Bill, they wash their hands of responsibility for it, and they say we must take the whole responsibility. It follows, therefore, that the Bill we are about to consider is in no sense our Bill; it is in no real sense their Bill. It is a miserable, mangled, tortured, twisted *tertium quid.* It is something which no man will father. It received on its Third Reading the support of only one Bishop of the Establishment, and it is a Bill, therefore, which the Church of England repudiates. [OPPOSITION cries of "No."] I quite agree that scores of rooks caw from their steeples, but the Bill is one which no Nonconformist would touch with the humblest of fireside implements. What are we to do with a Bill returned to us in such a condition as that? From a careful study of the Amendments, which I have had printed and circulated in the White Parliamentary Paper, I do not believe that any man, however oblique may be his vision, however blinded he may be by Party prejudice or ecclesiastical prejudice—I do not, I say, believe that any ordinary House of Commons man, carefully perusthis White Paper, can have any doubt whatsoever that the Amendments made in another place are of so extensive a character—I am not dealing with their speeches, although some of these were very drastic—so formidable, so penetrating, so permeating, so cumulative that, though the House of Lords thought it wise to read our measure a second time, they none the less, and notwithstanding that important step, felt themselves at perfect liberty to make such alterations as constitute the Bill sent back to us not our Bill but an alternative solution of their own. No doubt some of the critics in another place, some of them men whose importance I recognise, paid lip service to our two great cardinal principles of popular control and no tests for teachers. I ask the House to consider those Amendments as they affect those principles.

But first a word as to what is meant by popular control. The Bill of 1902, for which the right hon. Gentleman opposite is responsible, transferred, wisely or foolishly, from school boards the vast duty, the enormous responsibility, for providing for the primary education of their district, and for co-ordinating secondary education so that both should go together, to county councils, city councils, borough councils, and municipal councils. From that great alteration enormous consequences have followed, which perhaps nobody except those whose misfortune it is to spend their days in the Board of Education have had an opportunity of fully realising. These bodies measure their importance by the greatness of their responsibilities. In all those thickly populated districts, those places where the mind of England is made up, those bodies have become infected with a lofty ambition. They are determined to municipalise education from top to bottom; they are determined to get whole and complete control over all the machinery of education, from the infant class to the University. They are determined to be masters in their own schools. The Board of Education know this full well, because it is our duty as the custodians of the vast Parliamentary Grants which the Chancellor of the Exchequer places at our disposal to see that they are properly expended. We have, therefore, occasionally to interfere, and our interference is very often bitterly resented. For these localities say, "We know our own wants better than you do, and this mistrust of us and of our honourable intentions is most unfair." But these Amendments of the Lords, almost every one of them, cut down popular control, restrict popular control, and put the Board of Education again and again over the heads of these great elected authorities, and in many material respects most seriously interfere with their discretion and their freedom of action. And these men will come and say, "What is the good of asking us to give up time, leisure, and money to the discharge of what might be the noblest duty open to a citizen, of looking after the education, primary and secondary, in the locality where we live, and the wants of which we think we know better than anybody else—what is the good of asking us to make all these sacrifices, if at the critical moment, when it comes to taking a decision upon some vital matter, the Board of Education, acting under an Act of Parliament, comes down and interferes with our action, hampers, fetters, and controls it?" And does so, mind you as they will say, not in the interest of education as a whole, but in the interests of denominational schools. [OPPOSITION cries of "Oh."]

Lest it be supposed these are assertions incapable of being supported, I will take the Amendments in their order. Clause 1 passed this House without any Amendment or alteration. In the other House it is substantially amended by the addition of words so that a school is not to be recognised as a public elementary school unless some portion of the school hours of every day is set apart for the purpose of religious instruction. [OPPOSITION cheers.] No religion is mentioned, but I suppose by those cheers it is contemplated that the religion will be that of right hon. and hon. Gentlemen opposite. [Cries of "Any religion."] I should like to point out that the words inserted by the Lords are a direct repeal of Section 97 of the Act of 1870, a section which is supposed to prevent any differentiation between any one kind of school and another. It expressly makes it clear that no local authority, no school board, is to be required to provide religious instruction as part of its duty; and, therefore, this clause, with the Lords' Amendment inserted, repeals that section. Consider how it interferes with popular control—with the local authorities in the discharge of their duty. In most cases they have prepared admirable syllabuses which have received high support. They have consulted Church dignitaries, both of the Church of England and of the Church of Rome, in the preparation of these syllabuses; and practically it may be said that—though no doubt they vary from place to place—as a rule, a rule from which there is not the faintest probability of there being any departure, all the educational authorities of the country, with hardly any exception, have of their own free will and accord prepared syllabuses satisfactory to at all events the great majority of the people. And it is my anxious desire, and always has been, that these syllabuses should multiply and increase. But I know perfectly well that the moment you say to these local authorities who hitherto have not done these things "Do it you must," all my hope of getting a reasonable, suitable, and proper syllabus for that religious instruction which I at all events desire as much as any man in this House will be frustrated and destroyed. ["No."] Surely you ought to know that for yourselves. Anybody who has had anything to do with public authorities must know that they do not like Acts of Parliament compelling them to do the thing they hitherto have not done; and in this clause they have perfect freedom to do it in the most perfunctory and unsatisfactory manner. I am justified in instancing this first Amendment as a considerable and important departure from the principle of popular control.

I come now to Clause 2. I remember perfectly well when it was under discussion in this House my right hon. and gallant friend the Member for one of the divisions of Shropshire, came to me and put before me the case of private owners of schools. He said these private owners could do what they liked with their schools—turn them into stables if they chose—for they were not trust schools, their owners were absolute owners. They had built them out of the kindness of their own hearts, they were near their own houses, and had adopted a particular kind of architecture and would be sorry to see it interfered with. "Do you not think," he said, "you could introduce, to meet those cases, not more than 1,100 or 1,200 over the whole country, a few words which would enable those private owners to do the work themselves and send in the bill to the local authorities?" I thought it a reasonable and proper provision, and I accepted it. But what did the House of Lords do? They immediately seized hold of it, as they have done all through this Bill with every concession that has been made, to turn it into a right, not of private owners of some 1,100 schools, but of the owners of all the voluntary schools, 14,000 in number, who are to be at liberty to do the repairs if they like (the local authorities not being at liberty to do them), and to send in the bill. I say that is a most unreasonable thing. It is not business. It would hamper the local authorities beyond all expectation, and would increase the expenditure on all the alterations that may be necessary when schools are taken over under this clause. The Board of Education, I need hardly say, are to be the arbiters in case of any dispute. The arbitrament we were willing to accept for 1,100 or 1,200 schools; but now we are to exercise this *rôle* of arbiter in the case of 14,000. The local authorities, one and all, will justly complain of this interference, and of the increased expenditure, and of the delay that will be occasioned by any such alteration. So much for Clause 2, which undoubtedly does most materially interfere with popular control.

I come now to Clause 3. Everybody in this House will remember the lively scene we had one evening on the two mornings a week provision. I stuck to my guns there, and maintained that the true interpretation of the clause was that the religious instruction was to be given on two mornings so as to secure that every child got his two mornings and no more a week; and it was perfectly well understood that it was for the local authority to make the arrangement and to consider what circumstances might render it necessary to have more than two days a week allotted for the purpose, with a view to the children having their teaching on their two days a week. That was acceded to. The House of Lords come in and they alter the words to read "on two mornings a week in school hours at such times as may be consistent with the proper conduct of the school and for not less than a clear half-hour on each morning on which the instruction is given." I have no point to make as to the clear half-hour, but I do say it is absolutely essential that the local authority should be master in its own school-house, and should have the right of determining whether or not entry on more than two days a week is really necessary. But this question, under sub-section (3*a*), is another dispute which is to be referred to the Board of Education. The time of the President of the Board of Education is mapped well out for him for the next ten years. To that clause there is a remarkable addition—I think it is the addition which was introduced into the Bill by Lord Salisbury in another place. It is sub-section (2), which says—

> "If the parents of a reasonable number of children attending any public elementary school require facilities for their children of the same character as those to be afforded under the foregoing provisions of this section, and, in the opinion of the local education authority, those children cannot conveniently attend some other public elementary school in which facilities for religious instruction of the special character desired by the parents are afforded, the local education authority, without prejudice to any of their powers or duties under this section, shall, so far as it is in their opinion reasonably practicable to do so, afford those facilities in the school within school hours accordingly."

I do not know whether my noble friend Lord Crewe, whose conduct of the Bill in another place I would certainly stop to praise if the praise of a colleague had any intrinsic value whatever, had this clause in view when he referred to "envious Casca," but it is a most decided rent. The entry to the board school is entirely inconsistent with the doctrine of popular control. Clause 4, as amended, I will deal with separately a little further on. Our original Clauses 5, 6, and 7 are all gone; they have disappeared from the Bill. Clauses 5 and 6, I admit, reappear in a somewhat different shape later on, but Clause 7 is gone altogether. I speak here, I admit, with very considerable emotion. Clause 7 was my own pet clause —flesh of my flesh, and bone of my bone—because I believed that Clause 7 would have had the effect of making the conscience clause, which hitherto has had a long but useless career, a genuine reality, a reality which it can never possibly enjoy so long as you transfer the whole brunt of it from the parent who ought to bear it to the shoulders of the child. So long as you have the child exposed to the teacher's sarcasm and to the ridicule of the playground, to say nothing of the ostracism from those school treats and buns and milk wherewith the clergy and the gentry of the neigbourhood are accustomed to popularise denominational education, you need never hope to have a sound and reasonable and workable conscience clause. I admit Clause 7 was in a somewhat parlous state. Three of my colleagues voted against it in this House, and Lord Ripon, stalwart among stalwarts, and Radical among Radicals, felt it necessary to vote against it in another place; and I have very little doubt, whatever happens to this Bill—if it succeeds, as we all hope it may succeed, in passing into law—that that clause will disappear. In me at all events it will always have a most sincere mourner. Look at 7*a* at the bottom of page 8 on the White Paper—

> "If any persons consider that a new public elementary school with facilities for religious instruction of some special character not permitted under Section 14, of the Elementary Education Act, 1870, is required in any district, they may give public notice of their intention to provide a school-house for the proposed school,"

and—

> "when such notice has been given the Board of Education shall determine whether the proposed school is required, and in so doing"

—then follow certain words with which already I am only too familiar—

> "shall have regard to all the circumstances of the case,"

—that is to say, all sorts of perfectly inconsistent things, the wishes of the parents, the economy of the rates, the interest of secular instruction. They "shall take into consideration" any appeal made by the ratepayers; and if they determine that the school is required an arrangement is to be made by the Commission, and after the powers of the Commission shall have expired, it is to be done by the powers of the Board of Education.

Well, now, I really ask the House what has become of popular control over the whole area assigned to the charge of each particular authority if any such provision as this is by any possibility to become law? The thing, I may venture to say, almost becomes a farce. Men all over the north of England and in London and elsewhere will inquire, "What is the good of being on a local authority if all my power, all my responsibility, all my opportunity of doing what I consider to be good are to be absolutely destroyed and vitiated?" As to that appeal to the Board of Education, I venture to say that if Parliament were ever to insert into any Bill any provision such as this, allowing an appeal on behalf of denominational schools from any place by any person, they ought to take upon them selves the responsibility of showing how it is to act. For at present it is a mere matter of the whim or fancy of whoever happens to be at the head of the office. Every such school as this increases the rates. In all these schools I frankly admit, otherwise the case would not arise, there are a number of parents who have the religious education of their own children in mind. They will all be of necessity, *ex hypothesi*, unanimous in favour of the permission being given for the school. Therefore, the President of the Board of Education, if he is a denominationlist, will say that the wishes of these parents should be carried out, altogether irrespective of the £339 14s. 2d. extra which it will cost to the rates. If he is an anti-denominationalist he will say, "I must put on one side the wishes of the parents. They cannot be allowed to compete with the important question of the increase of the rates." All I can say is that in the interests of common justice and fairness, and something like continuity, it is, in our judgment, the duty of the House of Commons not to shirk this question as hitherto always has been done. If you are going to insert this provision do so boldly, and say in what circumstances the wishes of the parents are to be consulted, and not allow two absolutely inconsistent and irreconcilable policies to sway backwards and forwards in the mind of the President. It is an impossible duty, and the object of my calling attention to it is to show that it is absolutely fatal and destructive, and to say that with this provision it is impossible to maintain that this is a Bill to secure, preserve, and maintain popular control. I will not say anything about Clause 7*b* relating to inspection of religious instruction, although that is an interference with popular control, since it closes the school while the inspection of religious instruction goes on

Clause 8, with the by-law of my hon. friend the Member for Oxford University, makes religious education compulsory in school hours part and parcel of the Bill, and it has final words of a similar character.

> "The obligation of a parent to cause his child to attend school shall, notwithstanding any by-law"—

that is, the by-law of my hon. friend—

> "include an obligation to cause the child to attend at the school-house during the portion of the school hours allotted to instruction in religious subjects. Provided that the local education authority and the managers shall provide during the time so allotted, for children who are withdrawn by their parents from any such instruction, some form of secular instruction, and that a parent shall not be subject to any penalty under this section for not causing his child to attend the schoolhouse during any time so allotted, if he shows to the satisfaction of the Court that he has caused his child during that time to attend some form of religious instruction elsewhere."

I do not know that that is pre-eminently reasonable. I do not know how the Court can become satisfied that for half an hour each day the child has been given religious education. I should have thought that if a parent could show that the child was being taught something, even though the instruction were secular, that would have met the necessities of the case. I mention this clause to show the substantial character of the Lords' alteration. Now I come to the new clauses added. Clause 9a, on page 13, runs thus—

> "(1) Where the local authority fail to accept an arrangement offered to them by the owners of the schoolhouse of an existing voluntary school, as regards the use of the school-house, and the school is one in respect of which facilities in accordance with Section 3 or 4 of this Act are desired, the owners of the schoolhouse may appeal to the Commission appointed under this Act, and that Commission shall—"

and so on, and if the Commission are of opinion that there are sufficient grounds of refusal they shall—

> "by order require the local education authority to continue the school as a public elementary school provided by them on such terms and conditions as respects the use of the schoolhouse as may be provided by the order, and to afford the facilities desired."

Now there again is a very similar instance of that unilateral principle of which we complain. It is difficult to see how you can reconcile this with the principle of public control. As the Bill left the Commons the local authority had complete liberty whether they would take over a school or not, except that when facilities under Clause 4 were demanded and had been denied that was an exception; but this new clause upsets the whole principle of public control.

I should like to say a word, too, upon the peculiar position of the Commission. It will be remembered that when the idea of a Commission was started it was strongly resisted, and we had hon. Gentleman opposite out of their stores of historical illustration comparing it to the institution of the Star Chamber. By way of meeting the objections I said over and over again that the duties of the Commission would be judicial, and would be exercised by three Commissioners in accordance with the law. That got over some of the objections, and when I gave the names of the three distinguished lawyers who were to be appointed Commissioners then the position was changed, and admiration of the clause was expressed by hon. Gentlemen opposite. The gentlemen named as Commissioners have told me that they had no notion until they had followed the debate of the just place they held in the affections of hon. Gentlemen opposite. Those three gentlemen are unwilling—I think I may say at all events they are alarmed—at the prospect of having allotted to them duties of an administrative and not of a judicial character, duties that will require, they think, a staff, an amount of information and of assistance not in contemplation when they were confined to judicial work. Therefore if all this new duty is added there is very great doubt whether these gentlemen—one of whom, being abroad, I have not consulted--would be willing to accept the responsibility. I have said enough to show that the Amendments of the Lords affect, vitally affect, the doctrine of public control. They would render it almost impossible for a local education authority hereafter, if the Bill became law, to accept with any sense of duty the responsibility of an office the real duty attaching to which it would not be allowed to discharge.

And now I come to another point, the "test for teachers." How have the Lords dealt with that question in their principal Amendments? Now, I admit it is much easier to demand that there shall be no tests for teachers than it is to see that you get it; but that is no reason for not making the demand. Justice has very often been sold, or denied, or delayed since Magna Charta was presented in 1215, but the barons were right in insisting upon the declaration that, according to the common law of England, justice should not be sold, denied, or delayed. So I say we were justified in doing all we could, in face of craft, machinations, and denominational devices, to insist that no religious test should be imposed on a teacher on his appointment or in the course of his employment. It was a delicate point, but it was a necessity—it was part and parcel of our Bill that we meant to prevent the application of such tests directly or indirectly. That was the only reason for forbidding teachers in a transferred school under Clause 3 from giving Catechism or Prayer-book teaching, even though they were willing to give it. We wished to prevent this because we had suspicion—and can any man honestly say that the suspicion is unjustifiable or unreasonable—that if a teacher were allowed to undertake the duty he would be asked by some one, somewhere, not necessarily formally or in public, but sometime or other, it might be at tea time, whether, if appointed, he would volunteer for this teaching. If, in such circumstances, he said "No," can you doubt that in many cases his chance of getting the appointment would be very materially reduced? We make no mystery about the reason, and there is nothing to be ashamed of in it; we ask the House, is it an unreasonable suspicion? Of course, if the thing is done, we all know the nature of children as to which there has been much ado. Of course, they will follow their regular teacher, because they love him, or because they fear him, ample reasons both of them to secure a child's attention. This is a question we have to consider in the light of the immense importance the Church of England attaches to it—[An HON. MEMBER, "And the Catholics"]—the Roman Catholics are on a different footing. ["How?"] The Church of England, then, means and includes the Church of Rome, if you like. I only wish to shorten my remarks. The point I am upon is this, the importance the Church attaches to this privilege, or this right—call it as you may—the importance they attach to it is in itself a measure of the degree of pressure that will be employed in many places to secure the advantage of this teaching. The clause in the Lords' Amendment would compel the local authority to appoint the teacher, if willing ["No"]—they say "shall"—to give special teaching. It is an unqualified provision, it makes no distinction between town and country, between head and assistant teachers, it will permit any teacher to give the teaching if willing. Therefore, so far as our attempts to secure that there shall be no tests for teachers are concerned, they must be considered as struck out of the Bill and destroyed by the action of the House of Lords

Now turn to sub-section (3) of Clause 8—

"In every public elementary school in which extended facilities are afforded under this Act, the local education authority shall consult with the parents' committee as to the appointment of any persons to be teachers in the school"

—and then it goes on—

"and shall satisfy themselves that the persons so appointed are qualified and willing to give the religious instruction for which the extended facilities are afforded."

Now, how are the parents and local authority to satisfy themselves that a particular teacher—say a Roman Catholic—is qualified to teach the tenets of the Roman Catholic faith? They cannot do it. All they can ask is, "Are you a good Catholic, a good Roman Catholic?" and if the man or woman says "Yes," there is an end of the matter so far as the local authority is concerned. But is that bare question and that bare answer to be a sufficient test of the qualification of a teacher to give theological teaching of a difficult and precise character? I say it cannot be done, not even by Archbishops and Bishops, who cannot exercise a sufficient control over their own clergy in such matters. That is not the fault of the Bishops and Archbishops; it is inherent in human nature, we all know it, no man can pry into the depths of our souls and find out what we believe and what we do not believe, or if we are qualified to teach that belief. I do not deny the importance of belief, but who can judge of it? Some of the best Bible lessons ever known were given by Dean Stanley, and yet there were those who questioned his right to be called a good Churchman or even a good Christian. The Amendments, I say, will destroy the whole fabric of both public control and abolition of tests for teachers, and our interest in the Bill if confined to this would be entirely gone.

But just a word or two upon the Amendments to Clause 4. That was a very difficult clause to get into the Bill at all. It went, we admit, to the utmost point, it went somewhat dangerously near going outside the pledges we had given that there should be no tests for teachers; that I do not deny, but we justified it, and I shall still continue to justify it by saying it was intended to be an exception, and to deal with exceptional cases. What those excepted cases were have been repeated so often, I fear, to this House, that it is almost waste of time to reiterate them — homogeneous schools, schools where the overwhelming majority of the children attending them were the children of parents who wished them to receive definite, well-ascertained, clearly-defined, generally understood religious opinions. In these circumstances, under certain stringent conditions as to the character of the school, to secure its homogeneous character, and as to their being in the immediate neighbourhood other public school accommodation where the minority of the children, if there were any such, could receive undenominational education, we thought, and we still think, that if it had been fairly treated in another place, that exception could have been allowed. That was the whole state of our case with reference to that. What have the Lords done in these Amendments? First of all, they have destroyed the homogeneous character of the school, which was the very essence of Clause 4, but for which the clause never could have found its way into the Bill at all in face of the difficulties with which we had to contend. The Lords first destroyed it by a very bold Amendment, reducing our four-fifths to a bare majority. Then, on reflection, they thought that was asking, perhaps, a little too much, and they substituted two-thirds. They have not only, by this Amendment, destroyed the character of the school, but by a second Amendment they have got round the obligation for public school accommodation hard-by by saying that in what we used to call a four-fifths school—but what, I suppose, they would call a two-thirds school—within the walls of that school the undenominational teaching, according to the Cowper-Temple clause, should be given. I say, and hon. Gentlemen opposite will surely have the candour to admit, that was to tear our Clause 4 into tatters. It was to make it impossible; its argument impossible. Every argument that I ever used, or that my right hon. or hon. friends ever used in support of this clause—and I am grateful to them for the support they rendered at a critical time—every argument that we employed has been destroyed, and the whole ground taken away by the action of the House of Lords. Had we nothing but the Lords' Amendments to Clause 4 to go by, they would afford us clear and convincing proof that the House of Lords deliberately intended to change the whole character, scope, and purport of this Bill. I do not think I can do better than quote the admirable words of Lord Crewe when he said they had "turned rules into exceptions, and exceptions into rules."

In these circumstances, what is the course to be taken? Now, Mr. Speaker, His Majesty's Government desire to speak of the House of Lords with every courtesy of language. In my opinion, to be courteous is the first duty of a Minister of the Crown, and there is no occasion, and there can be no occasion, to use strong or violent language upon this subject. It is possible to be courteous and to be firm. If any Member of the House of Commons wishes to see an example of how, in circumstances not dissimilar to these, it is possible to be courteous and firm, I refer him to the speech made by Lord John Russell in this House, on the 9th June, 1836, when the Municipal Corporations (Ireland) Bill was under consideration. It is to be found in Volume 34 of *Hansard,* in the third series. I think the greatest and strongest lover of the House of Commons will feel that on that occasion Lord John Russell, without ceasing for one moment to be courteous, put the rights and privileges of this House as highly and as well as anybody could ever wish them to be put. But the Government has made up its mind to ask the House to return the Lords' Amendments to them as a whole. Not because they are all bad—because some of them are our own Amendments and therefore as good as gold—but because as a whole we believe them to be destructive of the fabric and main intentions of the measure, and because these destructive Amendments—I am confining myself to these—are so numerous that to go through them clause by clause as they are found in Part I. of this Bill and pick them out one by one would be to impose upon this House, if it were to be done properly, all the labours of a Committee stage. I see no possible way out of it, but that. It has been calculated that at least eighty questions would have to be submitted and eighty divisions would be involved; and the debate arising out of that would necessarily be of so complicated and prolonged a character that it would be impossible, not only at this time of the year, but at any time of the year, for the Government to hope to see it through except under the familiar and painful conditions of the closure. We all know what the consequences of the closure would be. When we came to an allotted day, however much time we gave to this measure, very likely the most important of the Amendments, perhaps even Clause 4 itself, would never have been reached; and as we do not propose, as we do not feel ourselves at liberty, to accept any of the Lords' Amendments, I ask, what would be the good of that?

Another constitutional course is, of course, open to us, and that is to move that we consider the Lords' Amendments on this day three months. Well, that, of course, would be ourselves to wield "th' abhorred shears to slit the thin-spun life" of this much amended Bill. I do not want to do that. Whilst there is life there is hope, not, it may be, a sure and certain hope, but at all events, an eager and, I trust, not irrational hope that the life of this important Bill—which in my opinion is well worth preserving if it can be done—should be preserved. Of course, if the Lords insist on their Amendments in their present shape, or anything like their present shape, sacrificed the Bill must be. In its present shape, or anything like its present shape, we do not want it. And if we do not want it, hon. Gentlemen opposite will not pretend to want it. But if the Lords should feel themselves able to recognise this Parliamentary situation; if they were to feel themselves at liberty to withdraw their Amendments as a whole, as we propose to return them as a whole; if they could limit the scope, the purview, and the operation of their Amendments in any manner capable of coming within our scheme as to what this Bill ought to be, why then hope, I say, is still possible for us all. Supposing they were to suggest Amendments to us on Clause 4 intended to give that clause some security which they think at present—mistakenly, in my judgment—it does not possess, why, then, these are Amendments which the Government would most cordially invite this House to consider with a view to coming to a settlement upon this vexed question. If for their two-thirds they were prepared —and I make these remarks by way of suggestion—to substitute three-fourths; if they were to send back an Amendment which already is included among these with regard to the urban areas, why these are Amendments which I say the Government would invite this House to consider with a view to coming to a settlement. If they were to suggest modifications as to the position of the teacher in Clause 3 schools, these are Amendments to which we should certainly be bound to give the most careful consideration. Nor have we any rooted objection to parents' committees. Anybody who ever seeks to settle an education question will meet with difficulties on his own side as well as on the other. I am assuming that all these Amendments of the Lords which so trouble and harass us were out of the way, and that we were in a position to consider on the footing that they were out of the way what we can do in order to secure the passage into law of this Bill. I still say, therefore, speaking on behalf of the Government, that the Government have no rooted objection to a parents' committee, and would be perfectly willing to consider with regard to Clause 4 schools whether any arrangement can be made whereby that parents' committee should have a voice in the selection of a teacher. I am on perilous ground, I am on delicate ground, but I mention these things as evidence of good faith in my statement that I still entertain hopes of the passage into law of this Bill.

Now, Mr. Speaker, if this Bill is sacrificed, what lies before us? I am certainly the last man to use any threats of any sort or kind. It is an anxious question for everybody. It is an anxious question for Nonconformists. It is an anxious question for Churchmen. It is an anxious question for Roman Catholics and for Protestants. It is an anxious question for municipal authorities; for all public authorities in town and country; and it is an exceedingly anxious question for those who are real lovers of education and have the cause of the children at heart. There is not a man, I am certain, who has any knowledge of this question who does not feel the gravity of the present situation and the dangers that lie ahead of any Government and of any Party who remain administrators of the law as it is without an Education Bill of their own. How is that Education Bill to be obtained? That is the question. More money will have to be granted. The local authorities insist upon having more money. My right hon. friend the Chancellor of the Exchequer will not be able long to resist their demand. We have inserted a money clause in this Bill. Money is wanted and for what purpose? To build more schools. In great centres of population, and in those huge suburbs which surround our towns which present so many complications, being as they are sleeping places of people who work elsewhere, the demand for schools is great and the rateable value of the property is small. These are problems that are certain to force themselves upon us for solution at a very early date. More money will be demanded, and more money will have to be granted for that purpose. More money will have to be granted for secondary education. More money will have to be granted to the local authorities to provide undenominational residential training colleges for teachers. All these things lie before any Government, I care not what its political complexion. All I would venture to say to hon. Gentlemen opposite is this. I speak with a short experience, I admit, but a very lively experience of a term of one year at the Board of Education. If either they or anybody else, either Church or Chapel, think they can for very long put themselves athwart the will of the municipalities or county councils of this country in their mode of providing education, primary and secondary, they are wofully mistaken. Any Party, any sect, who believes it can place themselves or itself in the way of those great authorities will find themselves in the position of George Stephenson's cow—they will get the worst of it, in time they will be trampled to death. I think the present time is an opportune time, and I hope everybody will so regard it, when it may be possible, even at this eleventh hour, to come to some arrangement whereby these Amendments, being recognised as not suitable for the occasion, should be withdrawn, and that other Amendments fewer in number, more confined in their operation, but perhaps even more important, should be placed on the Paper in another place. You can hardly expect us now to say precisely what we would accept. We have already put as much pressure on our own supporters as might perhaps be reasonably expected of us. Before you ask us to do anything more, before you ask them, as the price of saving this Bill, to go further than they have done, at least give them good evidence to believe that any further concession that is wrung from them will be accepted in the spirit in which it is offered, and not flung back contemptuously at their head. That would not be business. That is not the way in which a compromise of any kind in any matter, great or small, can possibly be effected. I think everybody will agree that I have gone quite as far as I have any right to go in the suggestions I have made. I have now come to the end of my observations. We propose to put down to-night the Resolution to be moved to-morrow by the Prime Minister. It will be something to this effect:—"That the Question of agreement or disagreement with the Lords' Amendments to the Education

Bill be put with respect to those Amendments as a whole." That Resolution would have appeared on the Paper to-day, but for the fact that it would have been out of order, inasmuch as, according to the practice of this House, any such Resolution has to have precedence of all other business. It would, therefore, have had to be put before the Resolution which I am now moving, a state of things which would have been preposterous, or, to use a more homely illustration, it would have been putting the cart before the horse. It is the procedure of the House alone that has prevented us from putting that Resolution on the Paper to-day. But it will be moved by the Prime Minister the first thing after Questions to-morrow; and, when that is done, the House will be constitutionally in a position to deal with the Lords' Amendments in the manner which I have already suggested it is the intention of the Government to ask the House to deal with them. And now the only other thing I have to do is to move, "That the Lords Amendments be now considered."

Motion made, and Question proposed, "That the Lords Amendments be now considered."—(*Mr. Birrell.*)

MR. A. J. BALFOUR (City of London): I think it will be admitted that the speech of the right hon. Gentleman and the Resolution with which he concluded are in the sharpest and most startling contrast one with the other. The Motion is that the Lords' Amendments be now considered. The speech was that the Lords' Amendments be now rejected, and rejected without consideration. I hear the Prime Minister contradict me. His experience of this House is longer even than my own, and he must be aware better than any man I am addressing that by considering the Lords' Amendments is meant taking those Amendments one after another, dealing with them and accepting them or rejecting them. That is what the phrase means by the immemorial traditions of this House, and that kind of consideration is to be absolutely refused to the Lords' Amendments by right hon. Gentlemen opposite. I do not know that this announcement of policy is very surprising from the Gentlemen from whom it comes. As the Chancellor of the Exchequer told us on Friday, what is the use of a new Parliament if it does not make new precedents? And undoubtedly this is a new precedent and a precedent exactly in conformity with the natural instincts of the Treasury Bench, because it is a policy absolutely destructive of all free discussion in this House of matters connected with this Bill. Never before has this House been denied the opportunity of considering the Lords' Amendments not merely in their total, general effect, but in detail. That opportunity the Government refuse, and they refuse it after having entirely destroyed our full discussion of the Bill upon the Committee and the Report stage. So that this House is, under the guidance of His Majesty's Government, entering into a controversy with the other House, while we, the Members of the House of Commons, are deprived of the natural right we enjoy of saying to the House of Lords:—"These matters have been fully discussed in this House; they have been thoroughly threshed out, and it is for you to consider whether you will accept or reject them." That is not what we are asked to do. What the Government are going to require us to do is to send up the terms of this Bill, unconsidered on the Committee stage of the Bill, unconsidered on the Report stage, and unconsidered when they come down from another place in the form in which they are on the Paper. The right hon. Gentleman said a great deal at the conclusion of his speech about his anxiety for concilation and about his desire, even at this last moment, that the Bill should, if possible, be saved; but evidently the Government want the Bill to be lost. I am not surprised, because I am not aware that any of their own friends like it and none of their opponents like it. I am not surprised that the Government are very anxious to see the rather *chétive* existence of this unhappy measure brought to a rapid and peaceful conclusion; but I think they might have gone about that object in a more decent manner, one more in accordance with precedent, one which was less deliberately insulting to the other branch of the Legislature, who, however, will, no doubt, bear with excellent philosophy the policy which the right hon. Gentleman means to thrust on them.

But I am not going to discuss more in detail at the present moment the Resolution which the Prime

Minister is to move to-morrow. When to-morrow comes we may have more to say on it. I confine myself now to following, not in full detail, but I hope adequately, the general line of argument which the right hon. Gentleman has adopted. He tells us that this Bill has been so profoundly modified that, in effect, if it were passed in the shape in which it has been sent back to us, it would be no great change in our existing system. That is quite inaccurate.

MR. BIRRELL: I did not say that there would be no change in the existing system. I said it would effect no change for the better.

MR. A. J. BALFOUR: I am glad the right hon. Gentleman has corrected me. The changes it would make are, first, that it would throw the whole cost of denominational teaching on the denomination. I suppose that is a change. Does the right hon. Gentleman say it is not a change for the better?

MR. BIRRELL: By itself it would be a change for the better, but not accompanied by the other things.

MR. A. J. BALFOUR: I thought the right hon. Gentleman said there would be no change for the better, and this is, as far as it goes, a change for the better. Then, he says, no addition to local control is given by the Bill as it comes down to us. The House will be perfectly aware that that contention is wholly without foundation. The Bill as amended by the Lords hands over to the local authority the appointment of teachers in all Clause 3 and Clause 4 schools, in Clause 3 schools without any control whatever from any other quarter. That is a change. Is it a change for the better? I should have thought the Government would have thought it was a change for the better, but I gather from the interruption of the right hon. Gentleman that it is not a change for the better. There is a further instance in which there is a profound modification which I thoroughly sympathise with. It is that, while every denominationalist in the country has got to pay for the denominational teaching given to his children, every child in the country can get Cowper-Temple teaching at the cost of the rates. So that the Bill as it left the House of Lords profoundly modifies our existing system in these three particulars at least. (1) It makes denominations pay for their own teaching; (2) it gives the local authority control over the appointment of teachers in every school in the kingdom; and (3) it gives to every child in the kingdom the right to have Cowper-Temple teaching at the cost of those who do not like that teaching. How anybody can say that a Bill so modified is a Bill framed in the interests of denominationalists passes my comprehension.

Though I dare say the right hon. Gentleman will receive my statement with surprise, I do not approach this subject in the interest of denominational teaching. I approach it now, as I have always tried to approach it, from much broader and more general grounds. I think we ought if we can to consider that we have some kind of duty to be impartial, rather aloof from the religious question in this country, that this House should have the same relation as the Indian Government has to those alien religions with which we are brought into such close administrative control. Let us treat all beliefs, all denominations, impartially. That is what we have got to aim at, and it is not from the point of view of a particular denomination; it is not as an Anglican, Roman Catholic, or Nonconformist; it is not in the interest of any special sect or form, or quality of belief or disbelief, that I address the House. I address it from an external and impartial standpoint. It is quite true that the Act of 1902, for which I was responsible, built on an old foundation. The main object of the Act was not to deal with the religious question at all, but with the pressing needs of the secular question. Its object was to put, and it did put for the first time in our history, the whole education of the country on a solid, logical, and coherent basis. That was the main object; and in doing that I admit we dealt as little as possible with those very difficult controversial subjects which could not be wholly avoided by any Bill which could be brought in. But one great departure was made from the old principle of the Act of 1870, which had hitherto regulated our proceedings, and that was in the clause which for the first time in our history permitted the parent's views to be heard with regard to the erection of new schools, and the provision of new places of education for his children if he were dissatisfied with the religious teaching in the places existing. The parent under the Act of 1870 was never considered at all; he did not come in, he did not count; he might withdraw his child, no doubt, from religious education, but apart from that privilege he was not regarded as a person who had anything to say with regard to the system of religious education pursued. The Act of 1902 made a great alteration in that, but I quite admit it did in the main build on the old foundation of 1870, and did not bring in in any complete or full measure the parental control. But if you are going to destroy the Act of 1870 and the Act of 1902, if you are going to abandon the traditional principles which have hitherto regulated our educational system, you are driven to consider upon what logical and fundamental basis you are going to raise your new superstructure; and I say there is but one such basis; there is one foundation and one only which will stand examination on which this House may feel that it is proceeding safely, and that is not local control, of which the right hon. Gentleman speaks, but parental control—parental authority. Local control is adequate, it is proper, it is the right machinery to use when you are dealing with those things on which there is really no difference of opinion between one sect and another, or one parent and another. Where all are agreed on general principles the local authority may very well decide questions of mathematics and geography, upon how much time is to be given to this subject of secular study or that. But by what authority are we going to make the local education authority the arbiter of the religious education of the children of this country? If you are really going to tear up the old foundation of 1870 and 1902, if you are going to say that where denominationalists have built a school, spent thousands of pounds upon it, and taught within its walls for generations, all that is to be swept away as meaningless and of no significance, then the only conceivable, logical, just, or tolerable method of dealing with the question is so to frame your system, as far as may be, as to allow every parent to decide what religion he would like given to his children, and, if you can, provide machinery for meeting it. That is the real basis, as I think, of any new legislation; and that is the basis on which the House of Lords have worked, so far as I can see, in all the modifications they have introduced into this Bill.

The right hon. Gentleman went through the Amendments of the Lords; I am not going to follow each one of his criticisms. I think the House would not wish me to go into all the points he raised; but I will take the more important ones. His first criticisms were directed against an Amendment introduced by the Lords on Clause 1. That Amendment simply says that there shall be a place in the time-table of every school in which religious education may be given. The right hon. Gentleman waxes very indignant over that because, he says, it is interference with the rights and liberties of the local authority. If it is interference with the local authority, it is in the interests of the parents of the children as regards religious education, it comes exactly within the category I have described, and follows out the only principle you can adopt if you reject the historic standpoint. The right hon. Gentleman tries to persuade the House that the Education Department cannot deal with such questions; but I am informed by my hon. friend near me that when he was at the Board of Education he refused to sanction a time-table, that he had controversies with the local authorities as regards by-laws dealing with this very subject, and those controversies were carried by my hon. friend to a successful issue without rousing any of those passions which I gather the right hon. Gentleman thinks will be roused in the breasts of the outraged municipal or county authority by any such tyrannical interference as that which is involved in asking for half an hour a day, or whatever it may be, to be put aside for religious instruction. The right hon. Gentleman made, if he will allow me to say so, the only lapse from fairness and good taste in the whole of his speech when dealing with that subject. He said he assumed the religion to be given in that half hour was the religion of hon. Gentlemen sitting opposite him, whatever that particular religion may be. I have no means of taking a census on the point, but I imagine there would be varieties of religion on this side of the House, as there are on that. The right hon.

Gentleman had no justification for that sneer, he had no basis for it in the speeches made in the House of Lords, or the Amendments introduced there, and I am sorry he should for one moment have forgotten that perfect courtesy and good taste which is so characteristic of all he says in this House.

What was the next point? It was the Amendment introduced by Lord Salisbury in the other House dealing with provided schools, and the teaching to be given outside the Cowper-Temple clause in provided schools where those schools belong to what are known as single-school areas. I understood the right hon. Gentleman to say—I was amazed, but I do not think I misunderstood him—that this was an interference with the liberties of the local authority.

DR. MACNAMARA (Camberwell, N.): Hear, hear.

MR. A. J. BALFOUR: I was amazed that this was a violation of those fundamental principles of local independence so dear to hon. Gentlemen opposite. Does not the right hon. Gentleman see that so far from being an interference with the local authority it is the reverse? The Cowper-Temple clause in itself is a violation of those liberties. The view of the Government is that it is wicked to interfere with a local education authority when it refuses to give the education desired by the parent of the child, but that you may interfere with it to prevent its giving that teaching? How can these advocates of the rights of local authorities have the face to get up and say they approve of the Cowper-Temple clause? That argument has been often stated, has it ever been met? You not only say—I think you are wrong—that the local authority ought to have control over secular education, but you go much further and say it shall be the arbiter of the kind of religious education given to the children. I think your principle is wrong; but at all events carry it out consistently, and if the local authority be the proper guide, philosopher, and friend in all these matters connected with the children put under its charge, give it absolute freedom to meet, if it desires to meet, the wishes of the parents in that respect. What answer is there to that argument, what beginning of an answer? Does any hon. Gentleman think he has got an answer? I challenge him to produce it. There is no answer. Those who deafen us with these cries in favour of the liberty of the local authority, and at the same moment say that to allow the local authority to give any teaching except Cowper-Temple teaching is a thing they would never stand—I think the hon. Member for North Camberwell said it was an outrage they would never tolerate, the touching of sacred things, the Ark of the Covenant.

DR. MACNAMARA: I beg pardon. I said the right hon. Gentleman refused that himself in 1902.

MR. A. J. BALFOUR: It is perfectly true that in 1902, except in the very important particular I described, I built on the old foundations, and left the Cowper-Temple clause untouched, and single school areas untouched; but I never came forward and said I did it because I thought we ought not to interfere with the liberty of the local authority. That is what they are talking of on that bench. The right hon. Gentleman who has just sat down did not adduce one argument against the Amendments of the House of Lords except that they interfered with the liberties which ought to be given, and which were given by the Bill in its original shape, to local authorities. Let him be consistent, let him carry out his own principles, and let the right hon. Gentleman, who is, doubtless, going to answer me, not shirk this point, but explain with what face he can at the same time tell us that the religious teaching of the children is a matter, not for parents, but the local authority, and then say that the local authority is to be hampered in its selection of the teaching to be given to the children by this perfectly arbitrary and illogical clause. I am sure the right hon. Gentleman will not deal with it to his own satisfaction.

The next point was that the religious teaching should be within school hours, and the right hon. Gentleman said that that violated a principle very dear to himself. He mourned the departure of Clause 7, in which the opposite principle was embodied, and said he still maintained, though against some of his own colleagues, that the principle of Clause 7 was right. I am sure the right hon, Gentleman was perfectly sincere in that statement, but how he can really reconcile this view with the view which he expressed very eloquently on the Third Reading of the Bill, that the religious training of the younger generations of this country is of fundamental importance to the future of the race, I cannot understand. I cannot bring myself to see how you can both regard a subject as of primary importance for educational purposes and also hold that you may exclude it from the ordinary curriculum.

MR. BIRRELL: The conscience clause would be put in force, or ought to be made capable of being put in force, by those persons who do not wish their children to receive a particular kind of religion at a particular kind of school, and those are the very people who are very careful to give their children religious education at home.

MR. A. J. BALFOUR: Yes; but is that very interesting observation really pertinent to the argument? What I was saying was that if you treat religion as of less importance than arithmetic and geography it will be considered as of less importance by the children and by the parents, and you cannot do a greater disservice to the religious education of the young than to say that by common consent, by the action of the Education Department, indeed, of the Legislature, it is to be put in a lower and less dignified position than those subjects of secular interest on which most of the day is spent. How anybody who believes in religious education can quarrel with the Lords because the Lords say that religion is of such importance that it ought to be treated with not less dignity, at least, than other subjects of study, I fail to understand. In the interests of the House I will not follow the next point dealt with by the right hon. Gentleman, viz., the appeal to the Commission.

I now come to the question of teachers. The right hon. Gentleman says the Government have laid it down as a fundamental principle that there are to be no tests for teachers. But the right hon. Gentleman has never told us what tests for the teachers are. To my mind one of the reasons why he has never told us what he means by tests for teachers is that if he did tell us it would be found that he himself by his Bill has deliberately imposed tests on teachers. Are not tests on teachers involved in Clause 4? That is, if Clause 4 is anything more than a sham and a humbug. The fact is that the right hon. Gentleman, all through the debates on the Education Bill, was in a position of great difficulty, and I have always felt for him. Speaking in this House with his friends behind him he has always laid great stress on the point that there were to be no tests for teachers. But when he was receiving deputations from bodies in whose interest Clause 4 was devised he was forced to say that by the nature of the case Clause 4 schools were to go on in the future as they had gone on in the past, that their teachers were to be selected in the future as they had been selected in the past, and that, therefore, there would be tests for teachers. If the right hon. Gentleman admitted that he had violated the principle of no tests for teachers, but that he saw no other way of escape, and had made the violation as small as possible, I could understand his position. But the Government have always said they would have no tests for teachers. I say emphatically that unless Clause 4 has been a piece of hypocrisy from the beginning, it was intended to meet the interests of the denominations, and therefore from the beginning this Bill has contemplated tests for teachers. Moreover, the right hon. Gentleman has put in a clause with regard to provisional schools in which he not only admits tests for teachers, but clearly indicates that the local authority is quite well qualified to look into the religious merits or demerits of teachers selected for certain schools. If tests for teachers are wrong, then this Bill is wrong. If tests for teachers are not wrong, then the Government and the House of Lords differ only in degree and not in kind.

What is the last great cause of quarrel which the Government have with the Lords? It relates partly to the proportion of children which may constitute a school—a fourth-clause school, and partly to the manner in which the unsectarian minority in such a school are to be treated. Again, we come to the old question—Were the Government sincere when they originally proposed

Clause 4, that relief should be given to those who desired denominational teaching for their children? Directly we examine the clause we are forced to the conclusion that they never intended Clause 4 to work, because the presence of a single Nonconformist child in a Roman Catholic school prevents that school coming under Clause 4, or the presence of a single Roman Catholic in a Church of England school prevents that school obtaining the benefits of Clause 4. In a word, the majority must be an overwhelming majority. Everything was done to ensure that parents, however they desired it, were not to have the benefit which Clause 4 was ostensibly intended to give them. I appeal to the principle which must be our fundamental guide in the settlement of this education question, the principle of the wishes of the parents. The Government seem to think that the Lords have done a very bold or audacious thing in reducing the necessary majority of parents to carry the special facilities for religious instruction from four-fifths to two-thirds. In my opinion, if the action of the Lords is open to any criticism, it is open to the criticism that it does not go far enough. But the Government have taken the view that it is so wicked for parents to desire to settle the religious instruction their children are to receive that in order to settle it their majority must be overwhelming. The principle of the Government is that the local authority is to be the supreme controller not merely of secular, but of religious, education. The principle upon which the Lords have, in a hesitating and cautious manner, modified the Bill is that the parents are to be the judges of the religious education which is to be given to their children. I ask—which of these two contending principles is more in accordance, not only with natural justice, but with those professions of liberty of conscience which come so readily to the lips of Radical orators and are so seldom found in Radical legislation? Questions which Parliament is held to be not competent to touch, questions of individual conscience, and the relations between the seen and the unseen, are held to be matters that naturally come within the purview of every local authority in the country. I do not think we are qualified in this House to deal with matters of religion, but I absolutely deny that we are less qualified to deal with matters of religion than a board of aldermen and councillors. The action of the Government is a return to the discredited system of the Middle Ages, which was but slightly dissipated at the Reformation, the system which led to the persecution of Protestants by Roman Catholics, of Roman Catholics by Protestants, and of one sect of Protestants by another sect of Protestants; and is contrary to religious toleration, to freedom of conscience, and to liberal principles, as these things are now understood. That which you have taken away from the State you have transferred to the municipality. I say that the principle which makes it wrong for the State to interfere makes it wrong for the municipality to interfere. The right which the parent has as against the State he equally has as against the municipality, and I absolutely repudiate the doctrine laid down by the right hon. Gentleman that any sect or any minority which comes into collision with the local authority will find themselves crushed under its heel or destroyed like Stephenson's cow by the incoming rush of the local authority. I think history is against the right hon. Gentleman. I think the growth of opinion is in favour of that individual liberty which the right hon. Gentleman wants us to sacrifice on the municipal altar.

But at all events I thank the right hon. Gentleman for one thing. He has brought out perfectly clearly what is the point of difference between this House and the House of Lords. The nature of that difference is apt to be lost in the mass of Amendments which have come down to us, and the complication of clauses and subsections, until people fail to see the forest for the trees. The right hon. Gentleman has made it perfectly clear that, according to the modern doctrine of Radicalism, the religion of our children is to be settled for us by county councils and municipalities. All the changes introduced by the House of Lords are in the direction of giving increased authority to the parent, and of saying that your machinery must be moulded and modified in so far as practical difficulties will allow, so as to give the parent as great a right to settle the religion taught his children as he already has to teach it in the home, and if these be the two antagonisms upon which the two Houses are to quarrel, if the House of Lords are to stand committed to one principle and we in this House to another, how will it be when we go to the final judge that is to choose between us? I venture to say that when public opinion begins really to sift all these details and winnow out the great principles on one side and the other, it cannot fail to see what is becoming clearer every day, that the ingenuity of those who are responsible for our law-making ought to be devoted to increasing, as the Lords' Amendments have attempted, the rights of the parent over the education of his child. That form of communism which makes the child the child of the State and not the child of those who begot him certainly will not find favour with the general community. Whatever our views on general Socialism may be, more and more we are feeling that it is the inalienable right of the parent to do all that is practically possible to give his children those views on the greatest, the most difficult, the most important of all subjects, the relation of man to God and to the eternal verities in which he himself believes. The idea that parental duty is to be taken away from the parent and handed to the town council because, forsooth, any other course is an interference with local liberty, strikes me as bad statesmanship, and if I may say so, bad Liberalism. Whether good or bad Liberalism, it is at all events inconsistent with the increasing strength of those conditions which more and more, as I believe, are going to dominate the educational policy of the country. It is in this firm conviction that I look forward to the struggle, if struggle there is to be, either between the two Houses now or, in regard to the policy which this House represents, in the country hereafter. I do not wish to throw this Bill back in the face of the Government even if I had the power to do so; but much rather, far rather, would I see it perish absolutely amid general indifference and contempt than see it passed into law in the shape in which the right hon. Gentleman desires it to pass.

MR. JOHN REDMOND (Waterford) said he must express his personal regret that the right hon. Gentleman on behalf of the Government had proposed to take the course which he stated would be pursued the next day. He said that, because he took a very serious view of the whole situation not only religious but political. As one who voted against the Third Reading of the Bill it might seem paradoxical for him to say that he deeply regretted the lack of any compromise which would increase the chances of this measure being passed into law. The Minister for Education had said he hoped for a compromise, but he could not gather from the Leader of the Opposition that there was a chance that any such hope would be realised, and he must say that if the desire of the Government was to carry this Bill by making concessions he could not see that the course they were going to take the next day was a fortunate one. He could not look upon the future with anything like confidence or with anything but the deepest misgiving. If the Bill failed to pass it would be a very serious thing for the Government and for the Liberal Party, and looking at the matter from an educational point of view, he thought it would be a disastrous thing if they were to have this controversy about religious education hanging over their heads from year to year. As one who was opposed to secularism he said that the loss of this Bill would be a most serious thing to those who wished to prevent the name of God from being banished from the schools of a Christian country. Speaking on behalf not only of those who represented Ireland, but of 2,000,000 Roman Catholics in this country, on the Third Reading he had felt it his duty to recapitulate the attitude which they took up. They voted against the Third Reading of the Bill, but, as he said, they did so with the utmost reluctance and regret, and they did so on the special grounds which they thought were suitable to the special case of those on whose behalf they were speaking. The general discussion on this Bill had been of a different character, but so far as Clause 4 was concerned the interests of those on behalf of whom he spoke were in opposition to those of hon. Members above the gangway. Ever since the Bill was introduced it had been admitted that the case of the Catholics and of the Jews was exceptional and demanded exceptional treatment, and all they had ever asked for was that the exceptional treatment which was contained in the Bill should be made a reality. They never asked that those whom he represented should be divorced from the general national system of education in the country. All they asked for was that the promises of the right hon. Gentleman should be made good by Amendments to Clause 4. They never asked for anything which was inconsistent with the general principles of this Bill; they asked for nothing which was inconsistent with the real mandate which the Liberal Party got from the country at the last general election. Their demands were consistent with the broad question of popular control, and in regard to that subject he would like to remind hon. Members on the Ministerial Benches that they as a body voted with them, and against the Opposition, in favour of the clause which said that there should be no religious tests for teachers. How came it about that they found themselves forced to vote against the Third Reading of the Bill? They were forced to take that course because the moderate, but to them vital and essential Amendments, which they proposed to Clause 4 were rejected. They believed that half the Catholic schools of this country would be excluded, as the Bill stood, from the operation of Clause 4. That meant that the Catholics were in this exceptional position—that while other religious denominations if they happened to be excluded under the operation of Clause 4, could, without doing violence to their consciences, take advantage of the ordinary Cowper-Temple Clause, the Catholics could not. So that half their schools would be starved. Had they been met by the Government in a conciliatory spirit in the Amendments which they moved to Clause 4, they would have been able to vote with the Government on the Third Reading of the Bill, and would have increased the majority by which it was carried from 192 to somewhere about 350. And though it might be said that a majority of 192 was sufficient, no one who knew anything of the Parliamentary history of this country would deny that a Bill with a majority of 350 behind it would be in a far stronger position when it went to the House of Lords than the one which went the other day on its dangerous, and he feared disastrous journey through the Lobby. The Catholics stood just where they did before. They did not know what the future had in store for them, but it appeared to him that the circumstances under which they reiterated their claims had been changed. Either this Bill would become law and pass by means of a compromise or it would not. If it was to become law, manifestly a portion of the compromise must be something in the nature of the Amendments which they asked for in Clause 4. If the Bill was not going to pass and the result of the sending back of the Lords' Amendments *en bloc* was the dropping of the Bill, then surely it was advisable that the Government should have the Irish Party, representing as they did 2,000,000 of Catholics in this country at their back, if they could get their support without impairing the principles of this measure. He had listened with extreme pleasure to that portion of the speech of the right hon. Gentleman which dealt with this part of the subject. Let him recapitulate the Amendments asked for. They declared that the two limits in Clause 4—the four-fifths and the urban area—would exclude by their operations half of their schools from the clause. That was denied, and denied most vehemently, by the hon. Member for North Camberwell. But the further inquiries that had been made upon the subject since confirmed the statement that under the operations of these two limits at least 500 Catholic schools out of a total of little over 1,000 would have been excluded from the operation of Clause 4, and that meant the starvation of these schools. They asked therefore to omit the limitation of 5,000 population per urban area and asked for the modification of the four-fifths limitation. He had listened with the greatest pleasure, but, he confessed, with some regret to the statement of the right hon. Gentleman that if the opportunity were now given to the Government to consider the basis of compromise on which to get the Bill through, they would turn a favourable ear to the claim the Nationalist's then made with regard to the population of the urban area, and that they would accept the very Amendment they moved, namely, to make the limitation three-fourths instead of four-fifths. Now these concessions, if he could call them concessions at this moment, in these circumstances were of enormous importance to them. They would, they believed, extend the operations of Clause 4 not to all their schools, but to practically all their schools. They did not want the Government to do anything upon this Bill which would tend to perpetuate the Nonconformist grievance in the one school area. That they were willing absolutely to give up. He had made some inquiries, and he found it would mean a considerable improvement to their schools. About thirty would still be excluded from the operation of these facilities. But they were willing that that sacrifice should be made in order that they might show the people of this country clearly that they did not desire to retain anything which would tend to the maintenance of that one school area grievance of the Nonconformists. But putting that on one side these two concessions would include the bulk of their schools. Why under Heaven these concessions were not made to the Catholics in the Committee stage of the Bill he could not conceive. He was sure they were made honestly and sincerely. He would be the last man in the world to impute to the President of the Board of Education or to the Prime Minister and those responsible for the Bill that they were throwing out these concessions now when it was too late. But he sincerely trusted that the opportunity might not be lost for considering compromise upon these lines by the procedure they had adopted for to-morrow. On the question of four-fifths or two-thirds they agreed in Committee to a ballot, but they insisted that the ballot should be an honest ballot, and that the people who did not vote should not be counted as against denominational teaching. They asked for a three-fourths majority upon a ballot of those who voted. Of course the ballot would be a dishonest device if every man who did not vote was taken as voting against the claim. On the question of the teachers what they asked was this: they never asked for the imposition of religious tests. They voted in favour of the clause abolishing religious tests, but so far as Clause 4 was concerned, which was the exception to the general plan of the Bill, they took their stand upon the words of the Minister for Education himself, that it would be an absurdity—not only a gross injustice but an absurdity—to send into a Jewish school a man not qualified to teach Jewish doctrine or to send into a Catholic school a man who did not know or believe in the Catholic worship. It would be like sending a nun into a Protestant school to teach Protestant doctrine. The thing was so grotesque and ridiculous that it stood to reason that the intention of the Government was that that should not happen and the Minister for Education correctly interpreted the intention of the Bill. But that danger was not safeguarded against, and what they asked was that a parents' committee should be associated with the local authority in the selection of teachers so as to make sure that this gross absurdity would not take place. The right hon. Gentleman in his reference to this matter was somewhat vague, but he gathered from him that the Government on the basis of compromise and the passing of their Bill were willing that parents' committees should be given a voice in the selection of teachers in the extended facilities schools. He did not wish to discuss words. He was only alluding to the substance, and if the words of the Minister for Education meant their ordinary and natural meaning then the right hon. Gentleman had conceded what they asked, because they asked only that a voice should be given to the parents' committee in the selection of teachers. If the Government had been really willing to concede that, the right hon. Gentleman might, by making this concession in Committee, without the slightest difficulty have obtained the vote of the Irish Party upon the Third Reading of the Bill. On the question of the school accommodation to be provided for minorities in these four-fifths schools, the House of Lords put in an Amendment which he candidly thought unreasonable. He did not agree with the words. They were unreasonable and went much further than the necessity of the case demanded. If all these schools were homogeneous schools where the overwhelming bulk of the scholars were of one religion—and that was their grievance—would it not be a monstrous thing if out of a Catholic school of 400 or 500 scholars it was in the power of five or six Protestant children—let him say by way of *reductio ad absurdum* in the power of one child—to prevent the extended facilities being given to that school at all because there was not what was considered adequate school accommodation for that child in the neighbourhood? The House of Lords passed an Amendment which went far beyond that. Lord Crewe, he noticed, proposed a compromise upon this point to the effect that the minority of children should be more than ten. He said nothing about the figure ten. Probably that was too low. But the fact that Lord Crewe made that proposal showed that the Government were not impervious to argument on the question and recognised the existence of a real grievance. And if they were to go on with the serious consideration of this Bill at all he would ask also that that concession be made. He passed by the question of "may" and "shall" and the question of the appeal to the Board of Education because, as far as he was concerned, he and his friends agreed that probably the appeal to the Board of Education was making the clause mandatory. There was nothing very remarkable in the Amendments they demanded on Clause 4, and he repeated that if on the Third Reading they had received promises of the insertion of the list of Amendments as now conceded at this stage they would have frankly supported the Bill. Their appeal and demand on these points were moderate, and he begged of the Government, if it were possible, even now at the eleventh hour, to introduce these Amendments into their Bill, and, if possible, pass their Bill into law. It would be, he supposed, hoping against hope that anything could come of to-day's proceedings except the loss of the Bill. But, speaking for those with whom he was associated, on the basis of getting these concessions, he was most anxious that the Bill should not be lost, and he would do everything in his power to prevent the wrecking of it. He hoped sincerely that out of all this strife and turmoil and confusion in the end a measure might emerge which, by showing a proper toleration of the religious views of all sections of the people, might postpone, he hoped, for ever what he would regard as the evil day when the name of God would be banished from the schools of this country.

Mr. PERKS (Lincolnshire, Louth) said he could assure the hon. and learned Member for Waterford that the great Nonconformist communities had as little desire as the great Catholic Church that the name of God should be banished from the elementary schools of this country. Speaking as a Methodist fully conversant with the views of that great Christian community, he would unhesitatingly say that there was not the faintest basis for the fear expressed by the Leader of the Opposition that they would ever stand side by side with any section of the people who desired secularism in the elementary schools of the country. The position that Wesleyan Methodists — the largest section of Methodists—had taken up, which position was formulated in the minutes of the Conference, was that they wanted popular control, abolition of tests for teachers, and Bible instruction given in the schools —not merely Bible reading, but Bible instruction given by the teachers. He thought that was an irrefutable answer to the fears and assertions which had been made by the Leader of the Opposition and the hon. and learned Member for Waterford. The question was, what was the position of this Bill at present, and what was going to happen? He was not quite clear as to whether the House was invited that day to attend a funeral or a resurrection. He was not at all surprised at the course taken by the House of Lords. He was not surprised, and he was bound to say personally that he could not express the same amount of regret as had been expressed in some quarters. He had not been enamoured of the Bill, and he did not believe it to be a popular Bill with Nonconformists. He knew it was not with hon. Gentlemen opposite. It was impossible to say that among Nonconformists this was a popular Bill, because it had been growing more unpopular, even in the form in which it left this House, the more it become known. He was simply asserting a well-known fact. That unpopularity had appeared in the declarations of the governing bodies of nearly all Nonconformist churches in the country. They had submitted to the utmost limit of concession, and they begged the Government not to concede an inch more. They had great objection to Clause 4. Even the Wesleyan Church, the most Conservative of the lot, although becoming increasingly Liberal he was thankful to say, had again reiterated its objection to Clause 4. He was very anxious to meet the case of the Catholics, and he felt the necessity of dealing with the Catholic case. He did not believe it was just to make a Catholic boy go into an elementary school and submit to Cowper - Temple religious instruction. Why was that doctrine not applied to the Anglican Church? Because the Anglican Church was supposed to be a Protestant Church, and because he looked upon the Bible instruction as coming within the four corners of the Thirty-nine Articles, which assert that the Bible is the foundation of the faith of the Church of England. It was suggested to-day that certain further concessions—most momentous concessions—were to be offered at all events. There was no doubt that the Bill had been completely transformed in the House of Lords. It contained, at first, the leaven of sectarianism. It was not surprising that that had grown into a huge lump. It was manifestly such a denominational and sectarian Bill as it had come down to this House that no Tory Party would ever have dared to submit it to the House of Commons. But he earnestly hoped that concessions in the most objectionable Clause 4 would not be granted. The limitation of that obnoxious clause to urban areas was its sole redeeming feature for the rural districts. Now it was suggested that the limitations should be thrust away, and that facilities should be conceded, possibly to sectarian authorities in rural districts, to capture the elementary school even in the one school area. [" No."] That was the construction he put upon that provision. But even if it were not limited, there were scores of small towns where there were only two schools and where the abolition of this limit of 5,000 would plunge the Nonconformists into the hands of the clerical authorities. The concession of the parents' committee appeared to him to make confusion worse confounded. Already the district county council managed the local school, and under the provisions of this Bill there would be, in addition, a local committee. There were the teachers, and now on the top of that they were to have the parents' committee—a new authority super-imposed upon the other three. He earnestly trusted the Government would recognise—as indeed the Minister of Education had always recognised and had said over and over again—that the loyalty of Nonconformists to the Government had been strained to the utmost possible point by the concessions which had been given already, and that they would pay attention to the earnest hope that this Bill would not be further mutilated and marred by concessions which could only give it into a still more sectarian and denominational character, and which would make it even more objectionable than it was at the present moment to those struggling bodies of Nonconformists, particularly in the rural districts of England, who for so long had felt that they had upon their necks the heel of the priests.

*Mr. BELLOC (Salford, S.) remarked that everything said in the course of the next few days by anyone who took part in the debates on this Bill earlier in the year would necessarily be somewhat of a repetition. He would attempt to touch only upon the point which they would discuss when the Government Motion came before them. They were considering, as the Motion stood, not only generally the Lords' Amendments, but also two very important points. The first was how far the House would have a mandate, and how far they individually would have mandates, to support the Government in certain further concessions. Secondly, they were concerned, although indirectly, with the question of whether it were wise or not to follow the policy which the President of the Board of Education had declared to be the Government policy of to-morrow, namely, the sending back of all the Amendments of the House of Lords *en bloc*. As to the first of these points he could only reiterate what he said at an earlier part of the year, and what had been said with far more force than he could say it from the Irish Benches a moment ago. It was a very simple point, but the simplest of points apparently must be iterated and re-iterated in these debates. He thought the admission just made by the hon. Member for Louth sufficiently showed that reiteration did at least no harm and sometimes could convert. There was a body of some 2,000,000 or more Catholic fellow-citizens concerned in this Bill. It was a body which voted almost unanimously for the present Government. [Cries of "Oh, oh!"] Throughout South Lancashire more than 90 per cent. of the

Catholic vote was recorded for the Radical and Labour candidates. In political affairs they had not only to consider the volume, but also the potentiality of a popular vote. If hon. Members interrogated the average artisan in their constituencies they would find they knew nothing and cared nothing about the Bill, but they would find that every Catholic voter had followed the measure all through with the keenest interest, and knew how he suffered by the form in which the Bill left the House. There was in this country a certain society, and those who were communicants of it accepted its authority and saw in it the salvation not only of themselves but the world in general other than that part of it which was Catholic. The preservation of that society for themselves and their children was infinitely more sacred to them than wealth, personal health, or anything which a man could claim. On the whole, even with the grievance which Catholics still felt in this matter, it was to their advantage, and it was only the fulfilment of the mandate they received at the last election that they should send back the Lords' Amendments *en bloc*. In the first place, this was the only logical course to adopt, because it must be clearly understood by the electorate and Catholics that no consistent Radical could be dependent even for a good thing upon the non-elected Chamber. Who were the men who had inserted these Amendments? They could be easily defined. They included in the first place a small body of eminent men given a position in a sort of Senate for their services to the nation. Secondly, there was a larger body of men who sat in the Upper Chamber simply by hereditary right. And thirdly, there was a body of men who had openly purchased their places in that Assembly. Every man who had any sort of political standing would deny the right of the Lords to treat a measure in the way they had done in this instance. The Catholics of Great Britain would obtain the immunity and treatment they desired, but they would obtain it in other ways; they would not be defeated, because they were infused with something that was never defeated, and that was Irish blood. On the whole he considered that it was his duty to vote for the rejection of the Lords' Amendments *en bloc*, and he should do so with all the more pleasure because he knew how strong the feeling of the ordinary English voter was against the claim which the House of Lords were putting forward in regard to Liberal legislation. He would not be properly representing the views of his constituency if he recognised in any way the claim of the House of Lords to veto measures passed by the House of Commons.

MR. ALFRED HUTTON (Yorkshire, W.R., Morley) said that in regard to what the hon. Member for South Salford had said it should not be forgotten that the body for whom he had been speaking helped the Conservative Government to put the Education Bill of 1902 on the Statute-book, and that was the measure which had caused all the trouble. The hon. and learned Member for Waterford had said that Clause 4 would have the effect of keeping half the Roman Catholic schools of the country from enjoying the privileges which that provision offered. He did not dispute that argument only in the spirit. That might be true of half the schools, but he did not think it would affect half the scholars; in his opinion the percentage of Catholic scholars excluded would be far smaller than 50 per cent. Therefore he did not think that could be made a ground of serious complaint, because the percentage of Roman Catholic scholars which the clause would cover would be extremely large indeed. Personally he had not offered any vigorous opposition to Clause 4, although he disliked it very much at the time it was introduced, and he was unable in consequence to give his support to the Third Reading of the Bill. If the Government concessions had gone much further no doubt more hon. Members would have taken the same view as he did. The President of the Board of Education had spoken about making Clause 4 a reality. If it was retained in the Bill at all he agreed that it should be a reality and not a sham. Jewish schools should have Jewish teachers and Catholic schools Catholic teachers, but the test by which that arrangement was to be secured through the appointment of a parents' committee was a very different thing from brushing aside the limit as to places having 5,000 population, and the making of the four-fifths into a three-fourths majority of parents. While they admitted that Clause 4 must be in the Bill, that was no reason why it should be extended throughout the country in the rural as well as in the more populous urban districts where there could be an alternative school within a reasonable distance. He was not at all sure that there would be an alternative school within a reasonable distance if they removed the 5,000 limit. If the hon. and learned Gentleman had put a correct interpretation on the suggestions of his right hon. friend, the alterations in Clause 4 which might be acceptable to others would not be the kind of alterations to which he could possibly give his support. His right hon. friend had referred to possible concessions under Clause 3, but in his opinion it would be a very dangerous thing indeed to meddle with that clause, and to give anyone in the House of Lords the idea that there was in the mind of the Government a disposition to make concessions would be a very great mistake tactically and otherwise. The Bill as it left the Commons gave denominational interests far more privileges than anyone would have expected after the last general election, and the friends of denominational schools would make a great mistake if they thought the country would tolerate any extension of the privileges which had been offered under the Bill, an offer which was never likely to be repeated by any other Liberal Government.

SIR ALFRED THOMAS (Glamorganshire, E.) said he was very glad his right hon. friend had stood up to the House of Lords so boldly. He never knew a Bill begun so well and end so badly as this Bill. He would have thought that the ingenuity of the House of Lords could not have made it weaker, but they had done so, and he would at once say that rather than accept the Bill in its present condition he would prefer to be under the 1902 Act. He found that in the House of Lords they made much of having a committee of parents. He very well remembered on the Bill of 1902 the best speech on that subject was made by the late Prime Minister, who spoke of the position of the parents and their desire for religious teaching. He agreed with his position then and he agreed with it now. He said that the parents were the only right teachers, and they had no right to force any other teachers on the children. They had no right to teach any doctrine which was repugnant to the parent or the scholar, and it seemed to him that his right hon. friend was attempting to do the impossible when he attempted to teach religious and secular education at the same time. An hon. Member of the Opposition once said to him, "Are you in favour of religious instruction in a school?" and when he replied, "I am afraid I am," he was told, "Then you are inconsistent." He began to consider his position and to ask himself the question, "What do you profess? What is your political creed?" The principal clause of his creed was the liberation of religion from State control, and how, therefore, could he agree to introduce religion into the State schools? His right hon. friend had produced a great measure. He hoped in another two years he would have an opportunity of voting for another great measure for the liberation of religion from State control. He was not speaking for all the Party with whom he was associated, but there were nine of them who agreed with him in the secular solution, because they believed there was no other method practicable in a national system of education. The Leader of the Irish Nationalist Party had said he was anxious to join a national system of education, but how could they have a national system with a dozen different creeds? There could be only one system and that must be a secular system. He was sorry to hear his right hon. friend say that that would be the means of banning the name of God from the schools. Did that mean that all our religious bodies would cease to exist? He thought they were quite able to keep up religion in the land without having it in the secular schools. It would be a sorry day for the country if they were reduced to the religious teaching in the secular schools. He believed that some concessions could be made by the other House. If not, he would rather there was no Bill.

*MR. HOOPER (Dudley) expressed the hope that hon. Members would show to him the courtesy and consideration which they always extended to one who addressed the House for the first time. The Amendments made in another place with regard to religious instruction, in so far as they related to the ordinary transferred schools, might, he thought, be fairly though roughly summarised as follows:—(1) Instruction compulsory with conscience clause; (2) denominational instruction to be given; (3) permission for teacher to give such instruction at expense of denomination. Over and against that policy was the Government plan which might be summarised as follows:—(1) Religious instruction to be left to local authority; (2) if given it must be subject to limitation of Cowper-Temple clause; and (3) the teacher was not to give denominational religious instruction. On this issue he would like to speak as an ordinary and moderate layman of the Free Churches. Anyone who had read the speeches in this House on their unhappy religious differences must have been impressed with their earnestness and moderation, and the tone of reverence which characterised them all. He for one personally felt, putting aside the Roman Catholics and the Jews, and perhaps some extremists both in the Anglican and in the Free Churches, that there was so much common ground between the great Protestant communities that with the exercise of mutual good-will, trust, and confidence an acceptable basis ought to be found. He could not say how devoutly he wished that consummation. He was certain that their differences rested largely on their misunderstandings, want of confidence, and the difficulty they had in looking at the controversy from each other's standpoint. In reading the speeches of those who voiced the views of the Roman Catholic community, and also the views of both sections of the Anglican Church, he had tried honestly and earnestly to understand their point of view in this controversy, and to grasp their meaning of revealed truth, but he admitted that he found it extremely difficult. He recognised also how difficult it must be for the members of those historic churches to understand the position of the Free Churches, or the truths for which those Churches stood as witnesses. That being so, he thought they ought to make allowances one for the other. What was the main charge against the Government and which had caused all these Amendments? The charge made by hon. Gentlemen opposite was that the Government were practically endowing a new form of religion, or as some said, the Nonconformist religion, because they permitted the teachers to teach the Cowper-Temple religion, but declined to permit them to teach any other, and it was held that that was unfair and unjust. The question was, What was meant by calling this the teaching of a new religion? Surely there was only one Christian religious faith. There might be many different organisations, many schools of thought, different forms and ceremonies, but behind all these there remained the fundamental truths of our common religious faith which remain and could not be shaken. Could not he as a Free Churchman say to his friends of the Roman Catholic Church, "We" believe in the same God the Father Almighty! We trust to the same Saviour—the Divine Son of God—and we rely day by day upon the same Divine Spirit indwelling in our lives. When we put out to sea we shall all look "for the same Pilot as we cross the bar"? There was no such thing as Cowper-Temple religion. The clause associated with that name enunciated a principle and said that the religious teaching to be given in the schools should be one of peace and not of religious strife, and it asked each denomination to consent to eliminate from the teaching in the public elementary schools those religious truths which differentiated one religious body from another. The Cowper-Temple clause did not prevent dogmatic religious teaching; it was essentially a peace suggestion. He did not know whether hon. Gentlemen opposite had taken the trouble to read the reports of the controversy over the Bill of 1870; but if they had done so they would find that the Cowper-Temple clause was supported by Churchmen and Tories, the author himself both being a Churchman and a Tory. And the reason for its adoption was not, as some thought, to provide religious teaching acceptable to Nonconformists. No, the reason was that Parliament for the first time had created State schools, placed them under public control to be supported by public money, the teachers of which were not to be subject to any religious tests, and therefore by common consent denominational religious instruction could not be given therein—hence, the limitation imposed by the Cowper-Temple clause. Now it was admitted on all hands that the country had decided that the old voluntary or non-provided schools were to be State schools supported by public money, and that the teachers were not to be subject to any test. Consequently the Government proposed to apply to these new State schools the Cowper-Temple clause, just as in 1870 it was applied to the State schools then for the first time created. The question was whether that policy on the part of the Government violated religious equality or was unjust and unfair to the Church of England. He had no hesitation in saying that that was not the case, and for the following reasons. First of all, he was a denominationalist. The denomination to which he belonged— the Congregational Church—held distinctive truths for which their fathers had fought, were persecuted and suffered, for which their Church stood as a witness, and which they held as precious as life itself. They said, however, that they were so anxious that the religious atmosphere of these State schools should be one of peace and not sectarian strife, that they were willing to make sacrifices therefor, and agreed that their denominational truths should not be taught in the State schools by State teachers; but they would be content to teach them in their homes, in the Sunday schools, and in their churches. And so also with the Wesleyans, the Baptists, the Presbyterians, the Methodists, and other Free Church communities. They had their distinctive truths for which their Churches stood as witnesses before the world, but these Churches also for the same reason were willing not to press for their denominational truths to be taught in the State schools and by the State teachers. So that when it was said that Nonconformists were satisfied with the religious teaching given under the Cowper-Temple clause further explanation was necessary. They were content solely on the ground that they were anxious for peace, and not because undenominational religion satisfied their faith or was a complete exposition of the truth as they apprehended it. On the same grounds they asked the Church of England to agree to eliminate from the religious curriculum in the State schools her distinctive truths that clashed with the convictions of other Protestant communities. He would give an instance. As he understood, the Church of England claimed with the Roman Catholic Church and the Greek Church to an apostolic succession of the priesthood, and that they only were empowered to teach divine truth. Now Congregationalists believed with all conviction that when a man was born again and endowed by the Spirit of God he was not only competent but bound to teach within the limits of his knowledge. But was it necessary to impress upon the young child mind such conflicting conceptions of truth? They did not desire to force an alien faith on the Church of England, but only asked that all denominations should be placed on the same footing. The Church of England said, "It is true that you Free Churches are willing to make a sacrifice and consent to forego the teaching of your denominational truths in State schools, but if you ask us to make the same sacrifices that is unfair; it violates religious equality." Whether or no it was unfair was one of the issues that had to be decided by the House. At all events the Government showed their fairness by consenting that the Church of England should have the opportunity of imparting her denominational teaching on two mornings in the week. The principle underlying the Lords' Amendments was contained in a suggestion made by the right hon. Member for West Birmingham on the Second Reading of the Bill. He should like to say at this point that he regretted the absence of the right hon. Gentleman on account of illness, and he hoped that though his recovery was slow it would be permanent. The right hon.

Gentleman said they should separate the religious from the secular, let denominational religion be taught in school hours by the teacher at the expense of the denomination; and the right hon. Gentleman instanced a case, "Here is a school the teachers to which have been appointed without any test. Some are willing to give Church teaching, and some religious instruction according to the syllabus of the local authority. Why not let them do it," and there, he said, they had the solution of the difficulty. But the right hon. Gentleman made the mistake of lumping all the Free Churches together, and saying, "The local authority syllabus is good enough for you. If it should become part of the law of the land that any denomination might utilise a teacher to teach his own denominational teaching, he as a Congregationalist should make the same demand and insist that in every school in the land where there were children whose parents were Congregationalists a teacher should be appointed capable of teaching the distinctive denominational truths of the Congregational Church. The other great Free Church communities would make a similar demand. This would mean, if not ostensibly, yet practically, imposing tests on teachers. They would become the sport of sectarian strife, as each denomination would try and secure the appointment of teachers capable of teaching their own faith. This would also be disastrous educationally, for the teacher would secure appointment for his sectarian zeal, and not for his educational qualifications. He honestly believed that if the Government proposals were accepted it would follow that when the denominations saw that they could not in State schools teach any formulary or distinctive Catechism the Churches generally would say one to the other, "Cannot we draw up some syllabus of instruction suitable to the child mind which may be dogmatic but not distinctive?" The right hon. Gentleman the Member for West Birmingham once said that if he had to look at this question from the beginning he would still have hopes of bringing the Churches into line, and he himself still had hopes that that would be done. He hoped it would not go forth to the world that our Churches could not agree upon a Catechism or something which, apart from denominationalism, was suitable to every child. He had in his hands a Catechism which was in use in Jamaica and in Canada and which had been drawn up and agreed to by the Church of England and those who were called in this country Free Churches, and what he wished to ask hon. Members opposite was this. Was the Church of England in our Colonies part of the corporate whole of that Church, and, if so, and if was possible for them to come to such a conclusion in the Colonies, how was it impossible for some such agreement to be come to in the mother country? If the Churches could so agree, who doubted that the local authorities would accept such a syllabus, and peace and concord would reign in our schools? He thought the policy initiated by the Government was the only one which would be acceptable to the country.

SIR GEORGE DOUGHTY (Great Grimsby) said he recognised the very difficult task which the right hon. Gentleman had had to perform and the ability, courage, and candour with which he had discharged his duty. He and many hon. Members on both sides of the House hoped that some compromise might be arrived at. In the early part of the right hon. Gentleman's speech that did not seem possible, but they gathered from the later part of it that the right hon. Gentleman himself as well as His Majesty's Government thought that, if a reasonable compromise could be arrived at, this Bill ought to be placed upon the Statute-book. He was one of those who were very desirous that some compromise on this vexed and difficult question should be come to. He was sorry that in the first part of his reply the right hon. Gentleman gave so much attention to the machinery of the Bill apart from its general principles. He quite agreed, however, that to give the right of entry into the council schools would be unfair and unjust, and would receive in all parts of the country the strongest possible opposition. He took up that position for several reasons. He was connected, as chairman of a large educational authority, with the educational work of the country, and, so far as that particular Amendment went, he was not aware that in any part of the country at the last general election any appeal was made on that subject to the electors. Whatever mandate might have been received by the Government they certainly had not received any mandate to open the doors of the council schools to others than those whom the council had appointed to teach. Under no circumstances, therefore, could the Government accept such an Amendment, and he would rather that the Bill were lost than that the peaceful conditions with regard to religious instruction which now prevailed in the council schools should be disturbed by any outside influence. During the last thirty years there had been growing up in the council schools a national system of religious education, and in the syllabuses published by the Board of Education used in those schools it would be found that the principles in which the Churches were agreed were embodied. There was no religious difficulty in the council schools, and if at that moment any Government proposed to introduce sectarian teaching into them they would have to face as great a difficulty as they were facing to-day. It was a privilege to him to express his frank opinion upon this subject, and to urge upon the Government that discord should not at this time be sown by anybody. He would venture to suggest two or three points upon which there might be some compromise. In Clause 1 of the Bill there were words added which indicated that the local education committee school of the future could only be considered one when some form of religious teaching was given. He was sorry to hear the right hon. Gentleman express some hesitation as to whether those words could be accepted or not, but if he could accept them and show that the House of Commons and the country did desire that some form of religious teaching should be given to the children it would set at rest a good many doubts. As to the Amendments to Clauses 2 and 3 he did not observe that the Amendments of the House of Lords affected any important principle; in his judgment they only strengthened the clauses. It was in Clause 4 that the difficulty, not merely of the Government, but of many other sections of Members was caused. What did the Government intend to do about it? The right hon. Gentleman had said nothing about the question of whether the clause was to stand as it left this House or was to remain mandatory as it was made by the House of Lords. He observed that Clause 3 was to be made mandatory, it being provided that the local education authority "shall" give facilities under that section. He understood from the silence of the right hon. Gentleman that it was the intention of the Government to consider that question in regard to Clause 4. The most vital part of that clause was the question of removing the word "urban" and extending the special facilities provision to all the schools in England and Wales. He was bound to say that he objected very strongly to that. In villages where there was only one school the Government would create a much greater injustice by making it a special facility school.

MR. BIRRELL: It cannot be made one.

SIR GEORGE DOUGHTY was glad to hear that, but would suggest that instead of the 5,000 area special facilities should be given to other districts. He had always sympathised with the Nonconformist feeling as to the injustice of the single-school area. He had never felt that there was any injustice in an area where there were three schools, because there a man could send his child to the school which he desired. In the first place, in the single-school areas Cowper-Temple teaching would be given on five days of the week and an opportunity for Church teaching would be given on two of those days, so that in single school areas the religious people of the district would have given to their children that religious instruction in which they believed. The Bill as it left the House of Lords had secured that there should be no religious tests for teachers, but there seemed to be some hesitation on the part of the Government to allow the teachers to give religious instruction in the schools. As he understood the matter the Nonconformist grievance at the present time was that there were 12,000 schools in which Nonconformists could not secure the position of head teacher. But the fact that the appointment was in the gift of the local authority, and that there was no religious test surely got over that difficulty. The only sect against which Clause 3 was aimed was the Church of England, because under Clause 4 the teacher might give, under the special facilities, religious teaching, and in all local education authority schools Cowper-Temple teaching was to be given to the children at the expense of the State. The only school in which the teacher was prohibited from giving religious instruction was the Clause 3 school. If the Government could concede the right of the teacher to give Cowper-Temple teaching and religious teaching under Clause 4, he did not think it was asking too much when they asked them to allow special teaching to be given in Clause 3 schools. He himself would much rather that the teacher should give the religious instruction than that the clergyman should be allowed to go into the school to give it. because the religious instruction, as given by the teacher, would in the first place be more in harmony with the secular education given in the school, and the local authority would therefore have a better control over that secular education. If the Government could see their way to make a concession on the points he had mentioned, and if there was a little give and take on the other Amendments, it seemed to him that there ought not to be any serious difficulty in coming to a final settlement, which if it brought peace into the schools, would be worth all the time the right hon. Gentleman had given to it.

*MR. MADDISON (Burnley) expressed his gratification at the action the Government had taken with regard to the Lords' Amendments. The hon. Member for Grimsby had said there should be some give and take, but upon looking at the words of the Bill there appeared to be not much give. It was all take. When the Bill left this House the Government supporters were agreed with regard to most of its details. His right hon. friend only spoke the truth when he said that in order to get the Bill through he had placed a great strain upon the Government's supporters. The Bill then was moderation itself. The right hon. Gentleman had cultivated the art of concession to such an extent that it was all in favour of hon. Members opposite. Far more concessions had been made in the direction of recognising sectarianism than in building up a truly system of national education. No one could say, having regard to the strong demand made by the Nonconformists throughout the country, that the Government had brought in a Bill that was at all extravagant. How had the Lords met the Bill? Wherever there had been a concession they had enlarged it until the Bill had become in some respects more reactionary than the Act it sought to amend. The Lords' Amendments represented aristocratic contempt for democracy. The Leader of the Opposition had treated the House to a very elaborate argument to show that as this country had given up the consideration of religion in matters of State, so the Government should not now seek to vest in local authorities the power it had given up in regard to affairs of State. That argument, which upon the slightest examination was shown to be utterly hollow, was based upon parental responsibility, a fine sentiment in its proper place, but an impossible proposition in this connection. How could each individual parent get the religious education that he desired for his child in a particular school? It was impossible. There was as much difference between a High, Low, and a Broad Churchman as between the various sects of Nonconformity. The result of this so-called freedom would be nothing but the greatest tyranny, because, while the large sects might get the religious instruction they required for their children, the small sects would not. The proposal of the right hon. Gentleman was, therefore, impossible. There was, however, some force in what the right hon. Gentleman said when he put to the Government the difficulty of the local authority being a competent body to select a particular form of religion to be taught in the school. He had always felt that there was a difficulty in a local authority selecting something which had been called by the hon. Member for Dudley the common denominator. It was not easy to get a common denominator. If, therefore, there was any argument in that point of the right hon. Gentleman it was an argument for secular teaching alone. Because, as the State had given up the consideration of religion in matters of State, it would be wise to apply the same principle to local authorities. It was not, however, for right hon. and hon. Gentlemen opposite to complain of and attack the Government when they would not help them to take the course which he believed would ultimately work for the good of education in this country and set up a genuine system of education. Whatever might be the outcome of these discussions, there was a general and growing feeling throughout the country that months and years were being wasted in wrangling upon the great and solemn subject of religion, which in the first instance was a matter for the individual and the home; and that the great issue of education, which ought to be the sole issue before the House, was being obstructed. The progress of education was being delayed and the onward march that we ought to be making in order to bring the education of the country abreast of some of the other nations of the world was being retarded. The religious question had been the reason for this. The peoples of Europe were feeling more and more the burden of clericalism, which like a spectre, was hovering round the schools, and where it had not been able to poison the wells of knowledge it had destroyed them. His Majesty's Government would have been better advised if they had made at least an effort towards the secular solution. They had an example in the common schools of America, where the children, whether their parents looked to Rome, to Canterbury, or to Geneva, learnt the same common things. What was the result? Had that had a bad effect upon the churches of the United States? Were the Sunday schools of the United States inferior to our own? On the contrary, they were vigorous and growing, because religion, like knowledge, was best when it rested upon itself and did not look to artificial and external aids.

*MR. EVELYN CECIL (Aston Manor) deeply regretted the course which the Government had announced they would take to-morrow. The Government professed that they desired a compromise, but he did not think the course proposed made for a compromise. If they really desired a compromise it would have been much wiser to have taken the Amendments *seriatim*, and pointed out specifically in the debates which Amendments they were disposed to accept. As it was he feared that they had put the Bill in jeopardy. The hon. Member who had just sat down spoke of Government concessions. He had sat through all the debates on the previous stages of this Bill, and he was utterly at a loss to know what concessions were made during those debates at any time whatever. There were no concessions. It was one of the complaints from the Opposition point of view that there was no attempt whatever in the earlier stages of the Bill to meet the Opposition at all.

MR. MADDISON: The 3rd and 4th Clauses are concessions.

*MR. EVELYN CECIL said those concessions were not made during the debates in this House. Now, at the last moment, after contemptuously throwing back the Lords' Amendments at their heads, the Government indicated that they were prepared possibly to consider some few of their Amendments. But that was not a course at all calculated to produce a compromise. He did not say it was past hope. He thought the Bill was a thoroughly bad Bill, but for the sake of peace and of getting this question out of the way he thought there might be something said for a compromise if it could be obtained. If the Bill did not pass the blame would, in consequence of to-day's proceedings, lie at the door of the Government, and not at the door of the House of Lords. The President of the Board of Education had complained that the House of Lords had ignored the principle of popular control, and apparently the right hon. Gentleman considered that this was the case in many of the Amendments that they had made. He endeavoured to follow the right hon. Gentleman, but failed. In Clause 1 the

Lords had added a provision that some portion of the school hours should be devoted to religious instruction. In what respect did that infringe upon the principle of popular control? Was it claimed by right hon. and learned Gentlemen opposite that popular control excluded religious instruction? He did not suppose that that was so, but in that case why could they not say in the Bill that it did not? Why could not they agree to the Lords' Amendment? If the Government had any doubt whether popular control included or did not include religious instruction let them appeal to the country. Why did they not appeal to the country? Various Cabinet Ministers, particularly the President of the Board of Trade, in one of those characteristic speeches full of the usual extravagance which had to be so largely discounted, had said that the reason was that the Ministry dissolved a year ago. But supposing this same Bill was before the House at the end of this Parliament, would they dissolve upon it then? They knew perfectly well that if they did dissolve on it they would be soundly beaten. [MINISTERIAL Cries of "No."] Then the sooner they tried the better. They would unquestionably be beaten, and they dared not go to the country now, for they knew that the country would not endorse the Bill. The Lords also knew it, and that was exactly the strength of their position. Coming to closer quarters, he would like to know exactly what was meant by full popular control. Did the Radical Party want popular control through Parliament? If so, they had it already. If they meant popular control in the details of local educational administration they were very far from it at present. Did they really suppose that the local education authority had complete popular control? Was it not perfectly well known that it was regulated by the Board of Education, limited by Acts of Parliament, and curtailed by the Code? In that sense there was anything but complete popular control, and it was mere clap-trap and imposture to go to the country and talk about popular control as the one aim and object of the Radical Party when they did not make a serious effort in this Bill to bring about that popular control of the local education authority, who, in spite of the claim of the President of the Board of Education, was not its own master in its own affairs at all. It was controlled by the Board of Education and by Parliament, and it had to obey the Code. He was therefore at a loss to understand upon what grounds this claim of supreme control by the local education authority was made. The Radical Party seemed to have great faith in local education authorities, but their policy in this respect was very different from what it was when in opposition. On 16th October, 1903, the Prime Minister, in criticising the Education Act of 1902 at Bolton, said—

> "I can quite understand that in good selected instances the Act may be made to work by intelligent and large-minded people in a fair way, but these county councils are not all of that character; what we want is not to be protected from the good, but protected from the evil."

That was exactly what the Opposition wanted now. That was a perfectly fair and sensible policy, but it seemed to be one which the Prime Minister in his admiration and trust of local education authorities was now prepared to ignore and condemn. The President of the Board of Education had vaguely foreshadowed that the Government were prepared in some respects to admit a few of the Lords' Amendments. He gathered that Amendments to Clause 3 were not in the main at any rate, if at all, to be considered; but the Church of England and other denominations were perfectly justified in claiming the right to impart such teaching, whether the local education authority liked it or not, as was proposed in Clause 3. The real quarrel between the House of Lords and the Government was this: The Government admitted that a few children should be allowed to receive the religious instruction which their parents desired and the House of Lords wished that more children should receive it. They desired to make the concessions in Clauses 3 and 4 real and not illusory. They had not altered the principle, but they had simply introduced certain words to secure that those concessions should not be a sham, and it was this to which the Government objected. Surely action of that kind on the part of the Upper Chamber ought not to be regarded as ground for a quarrel.

The object of the Lords' Amendments was to make the Bill a reality, and he trusted that the Government would consider the Amendments carefully if the House of Lords decided to send this measure back again to this House. He did not propose to deal at any length with the Lords' Amendments. As to the proposal to decrease the proportion from four-fifths to a two-thirds majority he failed to see why the Government should refuse to accept the smaller fraction, which would not involve any difficulty whatever in the working of the school. The President of the Board of Education had laid it down that minorities and not majorities must suffer, but if the Bill as it left this House was carried into effect the majority would suffer. The right hon. Gentleman knew perfectly well that to abolish tests for teachers was an impracticable policy to carry out wholesale. Clause 4 deliberately created a test for teachers, and Clause 3 imposed upon them the test that they should be incompetent to teach religious instruction. If the introduction of outside teachers was injurious to school discipline, as the President of the Board of Education had maintained, why under this Bill was the introduction of outside teachers of religion insisted upon under Clause 3? If the Bill were lost it would be entirely in consequence of the announcement made to-day. Ministers scouted the ideas, impressed on the Bill by the Lords, of parental control and responsibility, and of equal justice to all denominations. They preferred to foist on those who did not desire it the State-aided Cowper-Temple religion. Such a Bill, even if passed, could not be a final settlement. After the shifts the Government had made and the dissatisfaction they had created in the country by not applying equal justice all round it was impossible for this Bill to effect a final settlement. The Bill contained some clauses which would be useful, but it was so overweighted with injustice to denominations and disregard of parental wishes that it would not be the last Education Bill within even a short period which would be placed upon the Statute-book.

SIR JOHN KENNAWAY (Devonshire, Honiton) said he had heard with great regret the determination of the Government to send this Bill back to the Lords without any consideration of the Amendments which they, after careful and reasonable discussion, had introduced into the Bill; and he believed that that disappointment would be shared by the country generally. He believed there was in the country a very genuine wish that this question should be settled, and that the interests of the children should be regarded first and not be made the sport of different Parties in the State. There was a wish which had found ready acceptance in regard to the two main principles of the Bill, viz., popular control, and the abolition of tests for teachers, and that was carried out by the absolute control given to the local authority as to the appointment of teachers and also freeing the teachers from tests. He thought the Government ought to be willing to recognise that it was not possible to deal with the matter on cast-iron principles, and there should be reasonable elasticity and reasonable regard to consciences other than those of Nonconformists. Many Members would have been ready, as he would himself, to have gone a long way to obtain a fair and reasonable settlement of the question. But the Government had taken the line of throwing back the Bill to the Lords with the contemptuous suggestion that they should come with bated breath and ask humbly to put before the Government their view of the principles which at the last moment the President of the Board of Education admitted they might be willing possibly to consider. He felt that the way in which this had been done would be taken by the country as showing that there was no real desire for a settlement, and that the hon. Member for Louth and Dr Clifford, who were the real masters of the situation, had laid down the lines on which alone the Government must proceed. The Lords had made an Amendment to the Bill providing that a school should not be recognised as a public elementary school unless some part of the time were set apart for religious instruction. He attached very great importance to the existence of that provision in the Bill. No attempt had been made to indicate to the local authorities what the religious instruction was to be. What the

House could very well do was to lay down the principle that there could be no education worth having without religion being included. He believed that wherever religion was excluded from the schools in other countries public morals had suffered. If, as might be the result of all this conflict, there arose a system of secular education he and his friends had clear consciences in the matter, because they had always maintained that religion must be part of the ordinary curriculum of the school. It was for that the Roman Catholics especially had made great sacrifices in the past, and were making sacrifices now. The children of the denominationalists were to be sacrificed, their education was to be hindered, and this strife was to be continued because the Government had Members behind them to whom they paid so much deference that they were willing that those things should happen rather than allow denominational teaching to be given. Germany, Holland, and other countries had been able successfully to maintain a system of denominational teaching alongside of thorough educational efficiency in the schools. He and his friends believed that a system of that sort commended itself to the people of this country, and they would maintain the struggle for it as long as they could. The question was a serious and complicated one, and he would not give up hope that a fair and reasonable arrangement might yet be come to. He confessed, however, that after the declaration made on behalf of the Government that night his hopes were faint, and that there was little likelihood of their being realised.

*MR. REES (Montgomery Boroughs) said he had received copies of many resolutions couched very much in the tone of the speech of the hon. Member for Louth, whose attitude was very much that of his own Free Church constituents. Like his hon. friend, he sympathised with the Catholic attitude, and was well aware they could not accept the Cowper-Temple teaching, to which, personally, he had no objection. The traditional attitude of Catholics towards education made it impossible for them to accept Cowper-Temple teaching which every other sect of Christians might adopt, except themselves, as suitable to the occasion, and as representing as much of the essentials of Christianity as the small minds and brains of children could carry away. It might be asked, Why ought not the same measure to be meted out to the Church of England as to the Roman Catholic Church? In his own constituency the Church of England and the Free Churches were about equally divided, and he had no mandate from churchmen. His belief was that the Church was making a serious mistake in taking up such a strong attitude against the Bill. He regretted it, and dreaded the reinforcement of strength to the ranks of secularists that would result if this Bill were lost. Moderate men were now inclined to despair of a fair settlement. He understood the President of the Board of Education to say that the door was still ajar, and he hoped the House of Lords would take into account the strong feeling in the country and would walk throught that open door. The Protestant wing, or rather main body of the Church of England, might well make an effort to agree with the Free Churches, with which historically and doctrinally, it should be in sympathy. The Roman Catholic attitude was exactly the reverse of the Free Church attitude. The former Church held by authority, by the authority of an infallible Church, and would have from first to last no other atmosphere. The Free Churches held an exactly contrary position and thought the essentials of Christianity might be taught at the public expense, but that dogma was a matter of private or home tuition. He believed that if the West Riding judgment were reversed the loss of the Bill would be severely felt, and he hoped some suitable arrangement might yet be made.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) said the hon. Member for the Montgomery Boroughs had warned the Church of England that if they was not prepared to accept the Bill, they would have to accept a stiffer and stronger measure. He thought he could safely say that the Church of England would not be afraid of any stiffer or stronger Bill, but would stand by their principles, and they were not going to be intimidated by any suggestion of that kind. It was obvious that the system proposed would not satisfy the great majority of churchmen, and that they must have something supplemental to Cowper-Temple teaching. What he really wished to ask the Government was whether the House was to believe that they were sincere in the statement they had made that they still wished to save the Bill. A statement had appeared in one of the newspapers that morning which attributed to the Government a secret compromise with their extreme supporters, so that they might make a show in the House and give a false impression throughout the country of being in favour of a compromise, and thus throw the onus of destroying the Bill on the House of Lords. Were the Government sincere, or were they simply sending the Bill like a lamb to be slaughtered in the most opprobrious manner? If the Government really meant to do their best for the Bill, were they adopting the right method? Were they going the most likely way to obtain concessions from the House of Lords when they said, "If you are good children and behave nicely, we will hear what you have to say"? The President of the Board of Education might have told the House certain things that would be accepted, but he merely said that certain Amendments would be considered. Was that merely an attempt to blind the country in order to show that the Government were in a reasonable spirit of compromise, though all the while they did not mean to give way? The hon. Member for Burnley had referred to concessions made by the Government while the Bill was passing through this House, but when challenged he could not name them.

Mr. MADDISON said he had been quite consistent. He stated that there were substantial concessions in connection with Clauses 3 and 4.

Mr. LANE-FOX said he did not complain of the hon. Member's consistency; he only complained that he had not answered the question. What considerable concessions did the Government make on Clauses 3 and 4 when the Bill was passing through the House?

Mr. MADDISON said he was perhaps wrong in saying that they were made while the Bill was passing through the House, but he was certainly right about the Bill as introduced. That was sufficient for his point.

Mr. LANE-FOX said he was perfectly satisfied that his own point was made, All that he wanted to prove was that the Government made no concession whatever during the passing of the Bill. The hon. Member had also alluded to the undesirability of clericalism in connection with education in the public elementary schools. They had become accustomed to that bogey being trotted out in this House. It was first referred to by the President of the Board of Trade, who told the House that clericalism was the enemy. If it was the object of the Bill to destroy clericalism, a clear light was thrown on the question whether the Government were really sincere in their desire to obtain concessions from the other House. He would like to know whether that was a consistent method of treating the Lords' Amendments? Why should the Government after all the work that had been spent on this Bill now propose to throw it on the dust heap? Personally he thought that the concessions made by the Lords had gone quite far enough, and he doubted whether the Lords would make any further concessions unless they had reason to believe that if made they would be treated with proper and due respect.

Mr. HART-DAVIES (Hackney, N.) said that anyone must have been convinced that this sort of deadlock was certain to arise. He was one of those who went into the Lobby in favour of secular education, and they were accused of driving the Bible out of the schools. But what they said was, that the State as a State had no connection with religion; but if the State was to pay for any form of religious education it should pay for all. He believed that the ultimate solution of the question must be secular education, with liberty of entry. He thought they had had quite enough of wrangles over the question of religious education; and he had never been able to see that there was any difficulty in the way of liberty of entry. The State should be responsible for the secular education of the children, leaving the churches to do their own work in the way of religious instruction.

Question, "That the Lords' Amendments be now considered," put, and agreed to.

Motion made, and Question proposed, "That further proceedings on the consideration of the Lords' Amendments be now adjourned."—(*Mr. Gladstone.*)

LORD BALCARRES (Lancashire, Chorley) thought the action of the Government had put the House of Commons into a somewhat ridiculous position. They had passed part of the Parliamentary day solemnly coming to the conclusion that the Lords' Amendments be now considered. That having been accepted by the House, the Home Secretary had as solemnly moved that the consideration of the Lords' Amendments be adjourned until to-morrow. That might be good tactics towards the House of Lords, but it was most disrespectful towards the House of Commons. And to-morrow, as he gathered from the speech of the President of the Board of Education, a guillotine Motion was going to be introduced by which the consideration of the Lords' Amendments was to be taken *en bloc*, and by which they were to be thrown out in their entirety. [MINISTERIAL Cheers]. Of course, very naturally that procedure commended itself to hon. Members opposite. He had listened with proper attention to the speech of the right hon. Gentleman, and like the hon. Member for Louth he was much puzzled, and was unable to understand whether they were assisting at the funeral or the resuscitation of the Bill. He doubted if the right hon. Gentleman knew himself. He said without fear of contradiction that one portion of the right hon. Gentleman's speech differed entirely from another. At one moment he talked gaily of compromise, and at another moment he laid it down, no doubt for the benefit of a particular section of the House, that he did not mean to give way on any particular or important Amendment. That was no compromise, and they understood quite clearly that the right hon. Gentleman was going to guillotine the whole of the Lords' Amendments, including two or three which had been inserted by Lord Crewe himself. He thought there was something behind this.

*MR. CLAUDE HAY (Shoreditch, Hoxton) said that the action of the Government deserved a protest from every independent Member of the House. The very idea that they were not to discuss this Bill, except when the Government permitted, was not only an exhibition of cowardice, but strong evidence that they did not dare to leave the House of Commons to discuss the Lords' Amendments freely. The hon. Member for Hackney had dealt with the question of secular education. He would not go over the points raised by the hon. Member, but he wished to say that in his constituency there were a large number of Roman Catholics who had an intense feeling with regard to the Bill, and who would resent the manner in which the Government were trying to deal with the Amendments introduced by the Upper House, and he believed that the action of His Majesty's advisers would be received throughout the country with contempt.

MR. BIRRELL said he only intervened for one moment because the noble Lord had used the word "guillotine," but the Resolution to be moved to-morrow was not correctly described by that term. The Resolution was to the effect that the question of agreement or disagreement with the Lords' Amendments to this Bill should be discussed as a whole. He was not aware that that involved the guillotine. It was merely a matter of method. The Government did not propose to accept the Lords' Amendments, but they proposed to return them to them as a whole. They did not propose to present them to the House of Commons for the purpose of asking the House to discuss them one by one. He would not repeat the arguments which he had used on this subject, and merely said that the Question to be put to the House was that the Lords' Amendments should be dealt with as a whole, and that involved nothing in the nature of the proceedings known as the guillotine.

Question put, and agreed to. Lords' Amendments to be further considered to-morrow.

STREET BETTING BILL [LORDS.]

As amended, considered.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) moved to insert the following clause: "(4) In Ireland where in pursuance of this Act an order is made by a court of summary jurisdiction for a term of imprisonment not exceeding one month, without the option of a fine, the party against whom the order is made shall be entitled to appeal in like manner as if the term of imprisonment exceeded one month." The right hon. Gentleman said that in Ireland, as hon. Members were aware, no appeal lay against any term of imprisonment which did not exceed one month. The Government thought however, that, as the offences under this Bill were not criminal acts in the ordinary sense of the word, and would be extended to people of better standing than the ordinary criminal—people to whom any sentence of imprisonment, however short, would be a great degradation, where the penalty of imprisonment was imposed under this measure the right of appeal should be given to quarter sessions.

New Clause—

"(4) In Ireland where in pursuance of this Act an order is made by a court of summary jurisdiction for a term of imprisonment not exceeding one month, without the option of a fine, the party against whom the order is made shall be entitled to appeal in like manner as if the term of imprisonment exceeded one month.'" —(*The Attorney-General for Ireland.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*MR. CLAUDE HAY opposed the clause, which he said was only introduced at the eleventh hour, and was quite inconsistent with the general conduct of the Bill by the Government. They had never heard a word either from the Government or from Irish Members, that this Bill was needed in Ireland, and the Amendment would strike at the root of the principle of the Bill.

Question put, and agreed to.

Clause read the second time, and added to the Bill.

*MR. CLAUDE HAY moved in Clause 1, after the words "any person," to insert "being a bookmaker or habitual bettor." He said this Amendment raised the vital point in this Bill, because they had always understood that the purpose of the measure was to penalise the bookmaker rather than the innocent person who might be led astray by his wiles. As the Bill stood without the Amendment the innocent person became subject to the penalties imposed by the Bill, and the Amendment would relieve him of those penalites. The first of those penalties was the hateful one of being subject to arrest without warrant and standing in the eye of the law as being guilty until the accused party could prove himself to be innocent. He might instance the case of a man who had never betted in his life, but who was personally acquainted with a bookmaker who did not conduct his business in the town in which the man resided. The bookmaker might however visit the town where the man lived, and, being on friendly terms, they might be seen in the street in conversation two or three times in the course of the day. Under the Bill without his Amendment the bookmaker and this innocent person might be liable to arrest without warrant. They might be taken to the police station and searched, and if papers relating to betting were found upon the bookmaker the innocent person who had never made a bet in his life would be prejudiced, and even if acquitted might get a reprimand from the magistrate for having been seen in such company. The real fact was, that while men of all schools of opinion were convinced that betting was a great evil, the Government had not had the pluck to bring in a Bill to prohibit it altogether. Unless the words he proposed were accepted, any member of the public, if he happened innocently to ask the way once or twice of a bookmaker who was standing in the street, would be exposed to the risk of prosecution and the possibility of long imprisonment. He submitted also that the word "frequenting" exposed innocent men to the very gravest danger, and the views of the Judges in regard to what was "frequenting" did not always agree. There was nothing laid down as to how often a man must be seen in a particular place before he could be arrested on the charge of "frequenting" a place for a particular purpose, and unless the Bill was made clear in that respect it might render it impossible for a man to go about his lawful business. It would expose a man who like himself did not bet to the risk of being arrested, and it was because he believed that they would not stay the evil of betting by this proposal without the words he suggested that he begged to move.

Mr. BOTTOMLEY (Hackney, S.), in seconding, said the Amendment was not only one that was received with favour by the whole House, but one that the right hon. Gentleman had pledged himself to accept. Its object was to make it quite clear that the person aimed at by this Act was the man who carried on business as a bookmaker and who betted in the public streets. It was to prevent an innocent man who asked his way, or if they liked, made a bet, being arrested. The object of the Bill was not to lock up the silly workman who put his shilling on a horse, but the professional bookmaker who afforded the opportunity and the temptation to do so in the public street. A few weeks ago a letter, of which he possessed no copy, was written to the Home Secretary upon this subject, and the right hon. Gentleman replied through his secretary as follows:—

> "I am directed by the Secretary of State to say that your society appear to have misapprehended the object of the Bill, which is not directed against the working man who may make a bet, but to suppress the practice of the bookmakers plying their trade in the streets."

That was the declaration of the Minister in charge of the Bill. If that was the only object of the Bill, this Amendment gave expression to it. He therefore hoped the right hon. Gentleman would accept the Amendment.

Amendment proposed to the Bill—

> "In page 1, line 5, after the word 'person,' to insert the words 'being a bookmaker or habitual bettor.'"—(*Mr. Claude Hay.*)

Question proposed, "That those words be there inserted in the Bill."

*__Mr. GLADSTONE__ said the hon. Member was not quite correct in saying he had pledged himself to accept this Amendment, but the hon. Gentleman had read his letter quite fairly. It was true the desire was to clear the streets of bookmakers, but this Amendment would really weaken the existing law. The actual bookmaker was so well known to the police that it was easy to stop him from carrying on his trade. The object of the Bill was to get at the bookmakers through their touts, the men whom they employed. That being so, the Government could not accept the Amendment. The Bill followed in the main the existing law, and at present in London, Birmingham, and Manchester men could be arrested for betting in the streets. Thousands of these cases occurred in London every year, and there was no evidence whatever to show that the innocent man suffered under the existing law. He hoped the House would reject the Amendment.

Question put.

The House divided:—Ayes, 5; Noes, 285. (Division List No. 482.)

AYES.

Banbury, Sir Frederick George
Barnard, E. B.
Bridgeman, W. Clive
Finch, Rt. Hon. George H.
Straus, B. S. (Mile End)

Tellers for the Ayes—Mr. Claude Hay and Mr. Bottomley.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barrie, H. T. (Londonderry, N.

Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W.C.B. (H'x'm
Beck, A. Cecil
Beckett, Hon. Gervase
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (D'v'np'rt
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J.H. (Essex, R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordsh.
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Bryce, J. A. (Inverness Burghs
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Cecil, Evelyn (Aston Manor)
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Cleland, J. W.
Clough, William
Coats, Sir T. Glen (Renfrew, W.
Cogan, Denis J.
Collins, Sir Wm. J. (S.P'ncr's, W
Corbett, C.H. (Sussex, E.Gr'st'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Courthope, G. Loyd
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crooks, William
Crossley, William J.
Delany, William
Dewar, Arthur (Edinburgh, S.
Dickinson, W.H. (St. Pancras, N.
Dillon, John
Dixon-Hartland, Sir Fred Dixon
Dolan, Charles Joseph
Donelan, Captain A.
Du Cros, Harvey
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Erskine, David C.
Essex, R. W.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fell, Arthur
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Harcourt, Rt. Hon. Lewis
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r
Harrington, Timothy
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Healy, Timothy Michael
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, J.M. (Aberdeen, W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Hervey, F.W.F. (Bury S.Em'ds
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Howard, Hon. Geoffrey
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Joyce, Michael
Kearley, Hudson E.
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Lane-Fox, G. R.
Leese, Sir Joseph F. (Accr'gton)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M. (Falkirk B'ghs
Maclean, Donald
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Arthur, William
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Mansfield, H. Rendall (Lincoln
Marnham, F. J.
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morse, L. L.
Murnaghan, George
Murphy, John
Murray, James
Nannetti, Joseph P.
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norman, Sir Henry
Nuttall, Harry
O'Brien, Kendal (Tip'rary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Hare, Patrick
O'Kelly, James (Roscomm'n, N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Pearce, Robert (Staffs. Leek)
Pease, Herbert Pike (Darlingt'n
Pollard, Dr.
Power, Patrick Joseph
Price, C.E. (Edinb'gh, Central)
Price, Robert John (Norfolk, E.
Priestley, W.E.B. (Br'df'd, E.)
Radford, G. H.
Rawlinson, John Frederick Peel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Reddy, M.
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'h
Richardson, A.
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Br'df'd
Robinson, S.
Robson, Sir William Snowdon
Roche, Augustine (Cork)
Rogers, F. E. Newman
Rowlands, J.
Russell, T. W.
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Sears, J. E.

Seaverns, J. H.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick,B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smith, F.E. (Liverpool, Walton
Smyth, Thomas F. (Leitrim, S.
Soares, Ernest J.
Stanger, H. Y.
Stanley,Hn.A. Lyulph (Chesh.
Steadman, W. C.
Strachey, Sir Edward
Strauss, E. A. (Abingdon)
Sullivan, Donal
Talbot,Rt.Hn.J.G. (Oxf'dUniv
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Vivian, Henry
Walrond, Hon. Lionel
Walters, John Tudor
Walton, Sir John L. (Leeds, S.
Ward,W.Dudley (South'mpt'n
Wardle, George J.
Wason, Eugene (Clackmannan
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, H. Anderson
White, George (Norfolk)
White, J. D. (Dumbartonshire
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whiteley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid)
Wilson,J.W. (Worcestersh. N.)
Winfrey, R.
Wood, T. M'Kinnon
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. CLAUDE HAY moved an Amendment which raised the question of how far the transmission of telegraphic communications should be brought within the purview of the Bill. He hoped the Postmaster-General would inform the House as to the amount of revenue derived by the Post Office from correspondence over the telegraphic system connected with racing and betting. An immense staff, paid out of public funds, was engaged in transmitting these telegrams, and the State had laid out a large amount of capital on the necessary instruments in order that these communications might pass. If street betting were an evil, still more so was betting which was protected by a Government Department, and out of which the State made a profit. It was all very well for the right hon. Gentleman to state that he was not quite certain whether a post office was a public place which came within the meaning of the Bill.

*THE DEPUTY SPEAKER: Order, order. That is a Question which cannot be raised upon this Amendment.

MR. RAWLINSON (Cambridge University) said the words were "any street or public place." The point was that a post office was a public place.

*THE DEPUTY SPEAKER: The Amendment before the House is one which deals only with persons frequenting a public place for the purpose of transmitting bets or wagers, and it does not deal with the post office.

MR. CLAUDE HAY said his Amendment dealt with a person who might be in a street transmitting a telegram relating to racing. His point was that they were proposing to punish a man, who might be an innocent party, because he had received an envelope addressed to him in which there might be matter relating to a wager.

MR. BARRIE (Londonderry, N.) formally seconded.

Amendment proposed to the Bill—

"In page 1, line 9, after the word 'wager' to insert the words 'or transmitting bets or wagers.'"—(*Mr. Claude Hay.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. GLADSTONE hoped the Amendment would not be accepted. The Bill had come down from the Lords, and he understood the Lords would take only a limited amount of it. Therefore any Amendment extending the scope of the Bill would at this period of the session greatly endanger its passage into law. This point was debated at considerable length in Committee, and the arguments for and against were thoroughly well-known. As to whether the post office was a place within the meaning of the Act he did not think it mattered very much for the purposes of this Bill. The proposal of the hon. Member was quite impracticable, and he hoped the House would reject it.

SIR FREDERICK BANBURY (City of London) said the Home Secretary had stated that the other place would not stand more than a certain amount. Personally, he had had no experience of administering anything to the other place, and he did not know what the House of Lords would stand. The Home Secretary, however, had had some experience in that direction, and so he would accept his statement and act accordingly. He would have great pleasure in voting with the Government on this occasion if the Amendment was pressed to a division He was opposed to the Bill because it interfered with the rights of grown men to do what they liked provided they injured no one else, and therefore he was opposed to an Amendment which would extend its scope.

Mr. CLAUDE HAY asked permission to withdraw his Amendment.

Amendment, by leave, withdrawn

Mr. BOTTOMLEY moved to amend the clause by raising from sixteen years to eighteen years the age of a person with whom a betting transaction rendered the bookmaker liable to a fine of £50 or imprisonment for six months. He wished to prevent any bookmaker from inducing anyone under the age of eighteen to take part in any betting transaction. Most of the betting done by young persons was by boys between sixteen and nineteen years of age, and that was why he wished to raise the age limit.

Mr. O'HARE (Monaghan, N.) seconded.

Amendment proposed to the Bill—

"In page 1, line 18, to leave out the word 'sixteen,' and insert the word 'eighteen.'"—(*Mr. Bottomley.*)

Question proposed, "That the word 'sixteen' stand part of the Bill."

*Mr. GLADSTONE said he could not accept this Amendment. Section 1 (1) (c) imposed severe penalties in regard to betting with persons under the age of sixteen. It was clear that there ought to be a distinct limit of the age to which these penalties were applicable. The usual age limit for what was known as a young person was sixteen.

Mr. RAWLINSON asked the Government to reconsider this point. If there was an evil to be got rid in connection with betting on the part of young people, it was surely desirable that the age of eighteen should be substituted for sixteen in the sub-section. It was a farce to make the limit sixteen, for the evil aimed at prevailed among young people employed as servants, waiters, and in other ways, and the sub-section as it appeared in the Bill would be inapplicable in the case of many of the persons who required attention.

Question put.

The House divided:—Ayes, 237; Noes, 87. (Division List No. 483.)

AYES.

Acland, Francis Dyke
Acland-Hood,Rt.Hn.Sir Alex.F
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Asquith,Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour Rt.Hn.A.J. (City Lond
Balfour, Robert (Lanark)
Banbury, Sir Frederick George
Baring,Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont,Hn.W.C.B. (H'x'm

Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,Sir J.Williams (D'v'np'rt
Berridge, T. H. D.
Bertram, Julius
Bethell,Sir J.H. (Essex,R'mf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordsh.
Boland, John
Boulton, A. C. F. (Ramsey)
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Bryce,J.A. (Inverness Burghs)
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas

Buxton,Rt.Hn.Sydney Charles
Byles, William Pollard
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Cecil, Evelyn (Aston Manor)
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Coats,Sir T. Glen (Renfrew, W.
Corbett,C.H. (Sussex,E.Gr'st'd)
Cory, Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crossley, William J.
Delany, William
Dewar, Arthur (Edinburgh, S.

Dickinson, W.H. (St.Pancras,N
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Edwards, Clement (Denbigh)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Everett, R. Lacey
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Fullerton, Hugh
Ginnell, L.
Gladstone,Rt.Hn.Herbert John
Goddard, Daniel Ford
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Harcourt, Rt. Hon. Lewis
Harmsworth, Cecil B. (Worc'r)
Harrington, Timothy
Harvey, A. G. C. (Rochdale)
Haworth, Arthur A.
Hayden, John Patrick
Healy, Timothy Michael
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson,J.M. (Aberdeen, W.
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holland, Sir William Henry
Hope,W.Bateman (Somerset,N
Howard, Hon. Geoffrey
Hyde, Clarendon
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jardine, Sir J.
Johnson, W. (Nuneaton)
Joyce, Michael
Kearley, Hudson E.
Kelley, George D.
Kennaway,Rt.Hn. Sir John H.
Kincaid-Smith, Capt.
Laidlaw, Robert
Lambert, George
Lamont, Norman
Leese,Sir Joseph F.(Accringt'n
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Levy, Maurice

Lewis, John Herbert
Lockwood,Rt.Hn. Lt.-Col.A.R.
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald,J.M. (Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
Macpherson, J. T.
M'Arthur, William
M'Callum, John M.
M'Crae, George
M'Kean, John
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mansfield,H. Rendall (Lincoln)
Marnham, F. J.
Massie, J.
Meehan, Patrick A.
Micklem, Nathaniel
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morse, L. L.
Murnaghan, George
Murphy, John
Murray, James
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal (Tipper'ry Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Kelly, James (Roscommon,N
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Philipps, Col.Ivor (S'thampton
Pollard, Dr.
Power, Patrick Joseph
Price,C.E. (Edinb'gh, Central)
Price,Robert John (Norfolk, E.
Priestley,W.E.B. (Bradford, E.
Radford, G. H.
Reddy, M.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Renton, Major Leslie
Richards, Thomas (W.Monm'h
Richardson, A.
Rickett, J. Compton

Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robinson, S.
Robson, Sir William Snowdon
Roche, Augustine (Cork)
Rogers, F. E. Newman
Rowlands, J.
Russell, T. W.
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Scott, Sir S. (Marylebone, W.)
Seaverns, J. H.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley,Hn.A.Lyulph (Ches.)
Steadman, W. C.
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Talbot, Lord E. (Chichester)
Talbot,Rt.Hn.J.G. (Oxf'd Univ
Thompson,J.W.H. (Somerset,E
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walters, John Tudor
Walton, Sir John L. (Leeds, S.
Ward,W.Dudley (Southampt'n
Wason, Eugene (Clackmannan)
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, Col. R. (Dorset, W.)
Wilson, Hon. C. H.W. (Hull,W.
Wilson, J. W.(Worc'stersh., N.)
Winfrey, R.

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Abraham, William (Rhondda)
Adkins, W. Ryland D.
Alden, Percy
Anson, Sir William Reynell
Arkwright, John Stanhope
Aubrey-Fletcher,Rt.Hn. Sir H.
Baker, Joseph A. (Finsbury, E.
Balcarres, Lord
Banner, John S. Harmood-

Barnard, E. B.
Barrie, H. T. (Londonderry, N.
Beach,Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bennett, E. N.
Boyle, Sir Edward
Brace, William
Bridgeman, W. Clive
Bright, J. A.

Burnyeat, W. J. D.
Butcher, Samuel Henry
Carlile, E. Hildred
Cave, George
Channing, Sir Francis Allston
Cheetham, John Frederick
Clough, William
Cogan, Denis J.
Cooper, G. J.

Cornwall, Sir Edwin A.
Courthope, G. Loyd
Dolan, Charles Joseph
Du Cros, Harvey
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Faber, Capt. W. V. (Hants, W.)
Fell, Arthur
Fenwick, Charles
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Gibb, James (Harrow)
Glover, Thomas
Greenwood, G. (Peterborough)
Gulland, John W.
Hamilton, Marquess of
Hay, Hon. Claude George
Helmsley, Viscount
Hervey, F.W.F. (BuryS.Ed'ds
Hills, J. W.
Hudson, Walter
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Kennedy, Vincent Paul
Keswick, William
King, Alfred John (Knutsford)
Lane-Fox, G. R.
MacVeagh, Jeremiah (Down,S.
MacVeigh,Charles (Donegal, E.
Mason, James F. (Windsor)
Meagher, Michael
Morpeth, Viscount
Nannetti, Joseph P.
O'Hare, Patrick
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Pease,Herbert Pike (Darlingt'n
Remnant, James Farquharson
Rendall, Athelstan
Roberts,S. (Sheffield, Ecclesall)
Robertson,Sir G.Scott (Br'df'd
Rothschild, Hon. Lionel Walter
Smith,F.E. (Liverpool,Walton)
Stanley,Hon.Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Taylor, John W. (Durham)
Thomson,W.Mitchell- (Lanark)
Walrond, Hon. Lionel
Walsh, Stephen
Warde, Col. C. E. (Kent, Mid)
Watt, H. Anderson
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid)
Wood, T. M'Kinnon
Younger, George

Tellers for the Noes—Mr. Bottomley and Mr. Rawlinson.

Mr. BOTTOMLEY moved an Amendment making it an offence punishable by fine or imprisonment for any bookmaker to bet in any public place with any female. With some practical experience on the subject of betting he could assert that a large amount of betting took place every day between bookmakers and the wives and daughters of working men. He expressed astonishment that the right hon. Gentleman had not noted this omission in the Bill.

Mr. O'HARE hoped the Home Secretary would accept this Amendment. If street betting was looked upon as an evil, every opportunity should be taken to eradicate it. At the present time he believed that a number of bookmakers were women, and women and girls were used as intermediaries between the men who wanted to make bets and the bookmakers. That was bad enough for the men, but worse for the women. Street betting seemed to be infectious, and was spreading rapidly, particularly among women, because it was believed that the women could carry out the transactions with the bookmakers with less danger than the men.

Amendment proposed to the Bill—

"In page 1, line 18, after the word 'years,' to insert the words 'or with any female.'"—(*Mr. Bottomley.*)

Question proposed, "That those words be there inserted in the Bill."

*Mr. GLADSTONE said he could not see any reason for discriminating between females and men in this matter. As far as his experience went, he believed that women were better able to take care of themselves, and did take better care of themselves, in respect to betting than the men.

Question put, and negatived.

Mr. BOTTOMLEY moved an Amendment providing that when a bookmaker was arrested he should be liable to have all the books found in his possession impounded. It was an open secret that since this Bill had been before the public, bookmakers on certain occasions had refused to pay their obligations, because they said that all their books and papers had been seized by the police, and that therefore they could not say how much they owed their clients.

The Amendment was not seconded.

Mr. MITCHELL-THOMSON (Lanarkshire, N.W.) moved to insert in Clause 1, after "other" the word "similar." He thought that amongst the articles which bookmakers should not forfeit was money.

Amendment moved to the Bill—

"In page 2, line 2 after the word 'other,' to insert the word 'similar.'"—(*Mr. Mitchell-Thomson.*)

Question proposed, "That that word be there inserted in the Bill."

THE SOLICITOR-GENERAL (Sir W. ROBSON, South Shields) said the word was quite unnecessary. Money was not a "similar" article.

Question put, and negatived

*MR. F. E. SMITH (Liverpool, Walton) moved on behalf of the hon. Member for Blackpool the omission of sub-section (2) of Clause 1, which provided that any constable might take into custody without warrant a person loitering or besetting the streets either on behalf of himself or others for the purpose of betting or paying or receiving money in respect of bets. The issue raised by the Amendment was a clear one, and one which was receiving great attention at the present moment as a Commission was sitting to inquire into the relations which existed between the police and various other sections of the community. The question which the Committee should ask themselves was whether they were proprared to give an extension of power to the police to arrest any person who was loitering in the street for the purpose of bookmaking. What did that mean? They gave the police constable using his own unassisted intelligence—and the evidence before the Commission showed some startling results as to what that unassisted intelligence might lead to—it gave him power to arrest a man, not because he had committed an offence, but because he was frequenting the street and a conviction-hunting constable inferred that he was there for the purpose of making bets. This was, it was true, not the first Bill which gave a constable the power of arrest without a warrant, and there was a power under the Common Law. It was familiar law that a constable was entitled to arrest a man if there was a felony or a breach of the peace actually committed. In those cases and only in those cases had the constable a right to arrest a person, but in the case of mere suspicion that a man was loitering for the purpose of making a bet such a power was novel and menacing to the liberty of the subject. He sympathised with the legitimate object which the Government had in view, but he was not in favour of the means by which they desired to carry it out. Having regard to cases which had arisen and to the abuse of duty which had been committed by the force, this power was a very dangerous one to give them. He was not speaking on a subject of which he had no experience, because on one occasion he had been arrested by the police without a warrant, although by the indulgence of a charitable tribunal he was afterwards acquitted of the charge which was made against him. He thought the Government would spoil a reasonable measure by grafting upon it an unreasonable power.

Amendment proposed to the Bill—

"In page 2, line 4, to leave out sub-section (2) of Clause 1."—(*Mr. F. E. Smith.*)

Question proposed, "That the words 'any constable may take into custody' stand part of the Bill."

*MR. GLADSTONE sympathised very much with the hon. Member in the experience he had had when arrested by the police, but was glad to see that it had done him no harm physically or morally. He could, however, readily understand that it was the warmth of his feelings which had led him to make this protest. In the three great towns of Manchester, Birmingham, and London, the police had exercised their powers of arrest for obstruction by means of street betting, and in London there were something like 3,000 cases of arrest in the year. If this sub-section was knocked out of the Bill he was afraid it would weaken it considerably. As he had heard no protests up to the present time against these arrests he had no reason to think that the widening of the powers so as to extend them to other parts of the country would have any evil effects.

MR. RAWLINSON supported the Amendment on broader grounds than those mentioned by the Home Secretary. Surely it was not necessary to put into this Bill anything which would make it unnecessarily unpopular. Arrests without warrant could only be justified by one consideration, and that was that if the police had no power to make them they could not bring the offender to justice. He could conceive of no class of case where that contention was less justified than in a Bill directed against bookmakers and their touts. The policemen would see a bookmaker and ask for his name and address. If the man gave the correct address he could be summoned, and if he did not he could be traced at once. If he gave a false name and address the summons could not be served by the police, and one of two things would happen. Either he would be arrested by the police or he would bolt altogether, and if he took the latter course the neighbourhood would be the better for his bolting, and the Government would gain their end in that way. All those who knew police courts, however, would tell the Government that to take the remedy of bringing a man up by summons was sufficient. A bookmaker would be known in a district and was not likely to leave it because a police constable spoke to him once. In 99 cases out of 100 they would be able to secure his attendance upon a summons and without arresting him. He did not agree with the provision, although the Home Secretary had stated that in certain towns where it had been exercised he had no knowledge of any abuse of it. This was a very dangerous power to place in the hands of the police. The power to arrest without warrant gave the police power to arrest a man who had committed no offence, and take him through the streets, and it would give rise to the objectionable state of affairs, which was necessary in the case of crime but not in such a case as this, of deciding whether he should be held to bail. There had been cases in London where this power had been abused by the police, and there was grave suspicion that they had in many cases taken sums of money from bookmakers as a bribe not to arrest them. He submitted that it was not necessary, that it would make the Bill unpopular, and that to put this power in the hands of the police was dangerous nor only to the police themselves, but to the public at large.

Mr. J. W. WILSON (Worcestershire, N.) said these two lines in the sub-section were the most important lines in the Bill, if it was going to be operative. The hon. Member for the Cambridge University had passed over the difficulty of the policeman seeing a man making a bet. The police were compelled to put their new recruits on to this job to try and detect when a bet was being made, and how could they be certain that a bet had been taken unless they could look at the piece of paper which had gone into the bookmaker's pocket? The power of search therefore was the whole essence of the Bill. In the country districts this power was being sought, and where it had been given it had had a beneficial result. The form in which it was generally given was that the officer in charge at the police station had the power of search and retaining any articles found. It was not given to the policeman who made the arrest. It was a most valuable power if it was desired to make the the Bill repressive. The argument that policemen were liable to make mistakes would apply in every case where it was suggested that power should be given to them. He appealed to the House to retain this clause and not to be led away by a fear that in some isolated instance injustice might be done.

Sir SAMUEL SCOTT (Marylebone, W.) said it was well known that policemen were not immaculate, and if ever there was a clause which offered temptation to the police to take bribes, it was the one under discussion. The Government had recently appointed one of their many Commissions to inquire into the question of the police. There had been brought before that Commission many cases of wrongful arrest, through mistakes made by the police. Yet in spite of all that, apparently owing to the pressure put upon them, the Government put a clause into this Bill giving to the police powers far beyond anything they were entitled to exercise, and which went perilously near infringing the rights of the subject. Under this clause an active and intelligent constable might see two gentlemen walking down a street, and he might overhear them making a bet between themselves. He then had power to arrest them without warrant. Surely that was not a thing that should be allowed. He would also like to know what exactly was meant by frequenting.

SIR W. ROBSON said the fears which had been expressed with regard to this clause might have come with some force if the House was now passing a measure of this kind for the first time; but they were acting upon extensive and remarkable experience in this matter. A Commission had been appointed to inquire into every case of abuse of power by the police in London. Though there had been so many cases of arrest there had not been a single allegation made before the Commission of the arrest of an innocent man. There had been charges of abuse by the police, but not against innocent men. So far as the betting man was concerned, there had been no case where an innocent man had been arrested in place of the betting man. Hon Members were afraid of arrest on suspicion. They forgot that behind the intelligent police-constable there was the intelligent magistrate. The case had been supposed of two gentlemen walking along the street being overheard by a constable to make a bet and being taken by him before the magistrate. What would be the position of the constable when the magistrate heard the facts? It would not add to his chance of promotion. He asked the House to consider the practical side of the question. Policemen were by no means in a hurry to drag before a tribunal cases which they were not able to substantiate. In the majority of instances the policeman would take the name and address of the bookmaker, and it would be only in exceptional cases that he would need to make an arrest. The provision was valuable, because it was most difficult ever to bring home a charge of this kind. It could be brought home in a case of frequenting, but the policeman must know his man, and be able to say, "I saw him to-day, and I saw him yesterday, and I have seen him again and again; he makes it his place of business." That had to be backed up by other evidence. Frequenting was always difficult to prove, especially when so much corroborative evidence had to be brought forward, and if the charge were altered to one of loitering the constable had only changed his difficulties. If he were able to produce documentary evidence which was satisfactory to the magistrate, and he was given the power of arrest without warrant, the rights of justice would more often be ensured.

MR. CLAUDE HAY asked whether it was not a fact that the only two towns where there was the power to arrest without warrant any person suspected of betting were Halifax and Accrington, and all other towns which had powers for dealing with street betting exercised those powers under a by-law. Certainly it was the case as regarded London, for under a London County Council by-law of 1898 it was laid down that—

> "No person shall frequent and use any street or other public place on behalf of himself or any other person for the purpose of book-making or betting, or wagering, or agreeing to bet or wager with any person."

The Solicitor-General had not quite fairly stated the case when he endeavoured to show that there was nothing novel in conferring the power of arrest without warrant.

MR. BOTTOMLEY said he could not reconcile it with what the poverty of the English language compelled him to call his conscience to give a silent vote on this clause. He had been more confirmed than ever in his view that this was a wrong clause by the arguments adduced by the hon. Member for North Worcestershire and the speech of the Solicitor-General in support of it. For generations the recognised principle of law had been that the power of arrest without warrant should be limited to cases which could obviously be proved or were seen by a constable. The argument of the hon. Member for North Worcestershire, which the Solicitor-General confirmed, that this was a difficult offence to find out and prove, had been the one argument of every learned Judge, such as Mr. Justice Hawkins and other great criminal lawyers, against giving the police power of arrest without warrant under such circumstances. Inasmuch as it was difficult to ascertain whether an offence was being committed or was about to be committed, was the policeman, of all people in the world, to be able to put his hand on anyone's shoulder and say, "I think you are going to commit this offence?" For in this case it was not necessary even that the act should be committed. If in the opinion of the constable a man was loitering with the intention of committing this horrible crime of wagering, the constable would be able to run him in. It was said "Do not forget this Bill has to go back to the House of Lords." That argument had lost its terror. He believed that that House would look with a lenient eye upon any measure coming from this House except one, and that this Bill would not be the exception. In any case, he understood the House of Lords was going to be abolished, and that argument, therefore, did not count.

Mr. BOWLES (Lambeth, Norwood) said he regarded this section as a very serious matter. It was no light thing to give a constable power under any circumstances whatever to arrest people without a warrant, and the House ought very carefully to consider the proposal before assenting to it. He did not see in the Bill any justification for the enormous departure which was being made. The Solicitor-General had stated that the real mischief against which the Bill was aimed was not so much betting, as the offence of frequenting, and that was the reason put forward for giving this enormous power to a constable. If a man was a known frequenter what difficulty was there in dealing with him under the operation of the ordinary law? Powers of this nature ought to be given very sparingly, and only in cases where without such special powers the law would be certain to fail. The case was exactly the reverse of this where a man frequented a place for the purpose of betting. Such a power as was now proposed to be given to a constable had been shown to be capable of serious abuse, and there was absolutely no reason why it should be given in this instance. There was a good deal to be said for the objects of the Bill. Personally, he had never made a bet, and consequently he had only a detached interest in the matter. No case had been made out for this proposal, and if a division were taken he felt bound to support the rejection of this sub-section.

Sir FREDERICK BANBURY said it had been stated that if a constable arrested a person on insufficient grounds he would have very little chance of promotion. Upon a matter of this kind they were not concerned with the promotion of constables, but with the protection of the public from unjust arrests. If the Solicitor-General happened to be arrested, and was confined in a cell all night on suspicion of frequenting, it would be no consolation to him next morning to be told that the constable who arrested him had forfeited all chance of promotion. The police hardly ever abused their power. On the whole the evidence before the Commission at present sitting showed that that was so. Of course, there were exceptions where a policeman exceeded his duty. If they passed this clause they would be putting quite unnecessarily great temptations before police constables. There had been instances, as they knew, in which betting men had bribed the police. That had been proved so far as anything could be proved. If this clause were passed a policeman who suspected a man of loitering about the street for the purpose of betting might jump to a conclusion, and arrest him, although the man was not there for that purpose. That would be inflicting very great hardship on the community as a whole, and exposing the police to great temptation. The Bill would only be injured in one way by the omission of the clause, and that was in the case of a man who gave a false address. If a man frequented a certain street, the fact that he gave a false address would be *prima facie* evidence that he had some reason for not wishing to appear before a magistrate. It would be perfectly easy for the policeman to give word to the constable on the neighbouring beat, and the man could be arrested. If the police had power to summon betting people, it appeared to him that that was all that was necessary in the circumstances. Betting was not a crime.

Mr. J. W. WILSON said he did not object to the hon. Member betting, but he disagreed with the system of allowing "bookies" in the streets.

Sir FREDERICK BANBURY said that was an extremely important admission on the part of the hon. Gentleman opposite. In the opinion of the hon. Gentleman it was the poor working man who must not bet. [Cries of dissent.]

He was not surprised that hon. Members howled at him. They did not want the real object of this Bill exposed. It was not betting altogether which was to be stopped, but only betting on the part of a certain number of people who frequented the streets.

*MR. RADFORD (Islington, E.) said he had not the extensive and peculiar knowledge of this subject which was possessed by the hon. Member for South Hackney, but he knew something about it, and had taken part in the preparation of the London County Council by-laws in 1898 on the subject of street betting. He felt a strong inclination to vote for the Amendment. He was not moved by the argument of the Home Secretary that because certain powers existed in London they should be extended to the whole country, nor was he altogether convinced by the official optimism of the Solicitor-General, who had told them that there had been 3,000 arrests in London under the existing law, and no complaints made. Did the hon. and learned Gentleman expect these poor devils who had been arrested and perhaps imprisoned to come before him or some other great legal authority with a complaint? A considerable number of innocent men were now, he believed, serving imprisonment because they had been convicted wrongly of street betting upon the evidence of police constables, and in the inevitable hurry of criminal administration stipendiary magistrates leaned too much on the evidence of the police. There were in the police force men whose presence was a public danger, and it was for that reason that he was unwilling to give the extensive powers contained in the clause. If one innocent man were to be convicted out of every thousand arrested, he should be sorry to see the clause passed, even if in other directions the Bill were to promote the good administration of the law.

MR. JOHN O'CONNOR (Kildare, N.) said he had invariably supported the Government on this Bill since it was brought forward, believing that it was drawn on lines calculated to meet the great scandal which existed in the streets day by day. But after looking into the Bill and listening to this discussion, he felt that the point now before the House was a serious matter. It was proposed to give to the police a power which would be capable of very great abuse. He was against the arrest of any person without a warrant. He had read that the use made in the eighteenth century of general warrants for the arrest of persons for offences was resisted almost to the point of revolution. They all knew the abuse made of general warrants in past days, and their use had been dropped since the time of Wilkes. Coercion Acts had been passed by Parliament during the last twenty years, but never for a single moment had the most tyrannical of Governments proposed to introduce into Ireland a law whereby a policeman would be allowed to arrest a man without a warrant. He had been a constant supporter of this measure up to the present time, but he was now strongly of opinion that they were going on the wrong track. He was surprised that this proposal should have been allowed to pass without a protest, not only from Nationalists but from Ministerialists, who had been regarded as th guardians of the rights of English subjects.

*THE UNDER-SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. HERBERT SAMUEL, Yorkshire, Cleveland) said that the hon. Member for North Kildare had said that they were introducing new and revolutionary legislation, but, instead of these powers being new and revolutionary, they were now enforced in London, Manchester, Birmingham, Accrington, and other large towns. Under this Bill there could be no arrest and no imprisonment except in very rare cases, and he was sure that the hon. Member's fear was unwarranted.

MR. RADFORD said that he knew of a case where a perfectly innocent man was arrested and searched, but no betting slips were found upon him.

*MR. HERBERT SAMUEL said that if a man was subject to a fine, and he was unable to pay that fine, he must go to prison. That would be the case with respect to penal legislation of any kind. The hon. Gentleman had stated that there ought not to be an arrest for this particular offence without a warrant; but the

Home Office were informed that there had been no complaints before the Royal Commission on the Metropolitan Police of wrongful arrests for street betting. He would point out further, that the Committee of the House of Lords had recommended that this power to arrest without warrant should be given, and without it the Bill would be almost worthless.

MR. MITCHELL-THOMSON asked whether there would be no imprisonment except in cases of a third offence?

*MR. HERBERT SAMUEL: Except in very exceptional circumstances.

MR. MITCHELL-THOMSON said that what he wanted to know was what these exceptional circumstances were? Was it a case of a person betting with a youth who appeared to be under sixteen years of age?

MR. MORTON (Sutherland) said that the Under-Secretary for the Home Office had told the House that there would be no imprisonment, except after the third offence, but if a man was fined £10 and could not pay it, he was imprisoned. What, then, was the difference? All Governments seemed bent on attempting to take away the liberties of the people, and it was the business especially of the independent Members of Parliament to look after the interests, not of one class of the community, but of all classes, and to prevent the introduction here of Russian methods of administering the law. They were only doing their duty in calling attention to such an important matter as this, and he thought that it should not be left to the police to make an arrest without a warrant. After reading the papers recently, they had not too much confidence in the police. He did not think it was desirable that we should make this sort of laws, which put the policemen in the way of receiving bribes, and he could conceive that some poor wretched person who had been found betting in the streets might be prepared to pay something, as they had heard people of this class had done in the past, to prevent themselves being arrested. He was always loth to vote against a Liberal Government, but the Under-Secretary had given as one of the reasons for supporting this proposal that it had been recommended by a Committee of what he called the House of Lords, but which they usually knew as "another place." He had never heard that a Liberal Government placed very much confidence in that other place, and he did not place any confidence in it at all. But this ought not to be a Party or a political matter. They all wished to put an end to betting, especially among a class who robbed their employers to find money to bet with. It was not necessary, however, to violate the Constitution in order to do that, and it was better that two guilty men should escape punishment than that one innocent man should be convicted. He hoped that the Government would do something to limit the discretion of policemen.

*CAPTAIN FABER (Hampshire, Andover) said he should not like it to go down to posterity that the hon. Member for South Hackney was the only Member with a conscience, and when he looked at his conscience he had to confess that probably he knew more about betting than many Members in this House. He would be sorry to see the poor man convicted of betting while he made his bets in Tattersall's ring without anybody complaining. He hoped that the right hon. Gentleman opposite would think twice, nay several times, before he proceeded with this provision.

MR. HILLS (Durham) did not know that the police in London had the power to arrest people without a warrant on suspicion of betting under the County Council by-laws. If a warrant had not been issued they could summon them. It was true that under the Police Act if two or three men assembled for the purpose of betting they could be arrested for obstruction, but the police had no power to arrest a person on suspicion of betting.

*MR. HERBERT SAMUEL pointed out that nobody had ever said that a man could be arrested under the County Council by-laws, but men were arrested without warrant every day in London for street betting. The power was given by the Metropolitan Streets Acts. In 1905 over 4,900 persons were in the Metropolitan Police district convicted of street betting, and of that number 3,958 were arrested without a warrant.

*MR. F. E. SMITH, who was received with loud cries of "Order," asked whether the courtesy was refused to him which had just been shown by his friends to the hon. Gentleman on the other side. He wished to point out that under the section which had been cited there was only power of arrest in a case where three or four men were actually engaged in betting. The only objection taken here was that the Government would arm the police constable with the power of arrest if he thought people were in the street for the purpose of betting.

Question put.

The House divided:—Ayes, 191; Noes 98. (Division List No. 484.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E,)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt)
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Billson, Alfred
Black, Arthur W. (Bedfordshire
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cooper, G. J.
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Ferens, T. R.
Findlay, Alexander
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Harvey, A. G. C. (Rochdale)
Haworth, Arthur A.
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hooper, A. G.
Isaacs, Rufus Daniel
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Kearley, Hudson E.
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. M. (Falkirk, B'ghs
Maclean, Donald
MacVeagh, Jeremiah (Down, S.
M'Arthur, William
M'Callum, John M,
M'Crae, George
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Mansfield, H. Rendall (Lincoln)
Massie, J.
Meagher, Michael
Micklem, Nathaniel
Morgan, G. Hay (Cornwall)
Morse, L. L.
Murnaghan, George
Nicholls, George
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Hare, Patrick
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Philipps, Col. Ivor (S'thampt'n)
Pollard, Dr.
Price, C. E. (Edinburgh, Central)
Price, Robt. John (Norfolk, E.)
Rainy, A. Rolland
Rendall, Athelstan
Renton, Major Leslie
Richards, Thos. (W. Monm'th)
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Chas. H. (Lincoln)
Roberts, John H. (Denbighs.)
Robertson, Sir G. Scott (Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Runciman, Walter
Russell, T. W.
Samuel, Herbert L. (Cleveland)
Scarisbrick, T. T. L.
Seaverns, J. H.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Strachey, Sir Edward
Strauss, E. A. (Abingdon)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Taylor, Theodore C. (Radcliffe)

Thompson, J. W. H. (Somerset, E
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Walton, Sir John L. (Leeds, S.)
Ward, W. Dudley (Southampt'n
Wason, Eugene (Clackmannan)
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarth'n
Williamson, A.
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid.)
Wilson, J. W. (Worcestersh. N.)
Winfrey, R.
Wood, T. M'Kinnon

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barker, John
Barnard, E. B.
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Boland, John
Bottomley, Horatio
Bowles, G. Stewart
Bridgeman, W. Clive
Butcher, Samuel Henry
Byles, William Pollard
Carlile, E. Hildred
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Cheetham, John Frederick
Clancy, John Joseph
Cogan, Denis J.
Courthope, G. Loyd
Crean, Eugene
Delany, William
Dolan, Charles Joseph
Douglas, Rt. Hon. A. Akers-
Faber, Capt. W. V. (Hants. W.)
Farrell, James Patrick
Fenwick, Charles
Ffrench, Peter
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Flavin, Michael Joseph
Ginnell, L.
Glover, Thomas
Gwynn, Stephen Lucius
Haddock, George R.
Hamilton, Marquess of
Harrington, Timothy
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hayden, John Patrick
Hervey, F. W. F. (Bury S. Edm'ds
Hills, J. W.
Hogan, Michael
Howard, Hon. Geoffrey
Hudson, Walter
Hunt, Rowland
Jowett, F. W.
Kincaid-Smith, Captain
Long, Rt. Hn. Walter (Dublin, S.
Lupton, Arnold
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeigh, Chas. (Donegal, E.)
Meehan, Patrick A.
Mooney, J. J.
Morton, Alpheus Cleophas
Murphy, John
Nannetti, Joseph P.
Nolan, Joseph
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
Pease, Herbert Pike (Darlington
Power, Patrick Joseph
Radford, G. H.
Rawlinson, John Federick Peel
Reddy, M.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Remnant, James Farquharson
Richardson, A.
Roberts, G. H. (Norwich)
Roberts, S. (Sheffield, Ecclesall)
Rose, Charles Day
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Samuel, S. M. (Whitechapel)
Scott, Sir S. (Marylebone, W.)
Smyth, Thomas F. (Leitrim, S.)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Straus, B. S. (Mile End)
Sullivan, Donal
Taylor, John W. (Durham)
Thomson, W. Mitchell- (Lanark)
Walrond, Hon. Lione
Walsh, Stephen
Watt, H. Anderson
White, Patrick (Meath, North)
Wilson, Hn. C. H. W. (Hull, W.)

Tellers for the Noes—Mr. F. E. Smith and Mr. John O'Connor.

Mr. BOTTOMLEY said the object of his next Amendment was to ensure that there should be a nominal prosecutor in the same way as a nominal prosecutor had been introduced into the Musical Copyright Act. The clause just passed gave a constable power to arrest and take anybody into Court without warrant; his suggestion was that the constable should only take a man into custody on complaint being made. He suggested these words to the House, with the submission that it was the very least qualification that they could adopt.

Mr. LUPTON (Sleaford) rose to second the Amendment. He was understood to say it was a very good Amendment indeed. Power to arrest anybody they liked and to accuse him of making a bet was a very great power and one which ought not to be given to the police. Experience showed that it was desirable in these cases for the constable to act only upon some kind of charge. If complaint was made by anyone that a man was betting in the street the police, if they took that man up, were provided with a nominal prosecutor in the shape of the person who called attention to the grievance, who might himself, if he made an unfounded charge, be subjected to a trial on the charge of false imprisonment. He thought the person accused of betting in the street should stand in the same position as the person accused of selling pirated music. Betting was a perfectly moral and proper thing to do at the proper place and at the proper time. Betting was only disapproved of when done possibly in the right place but at the wrong time, or the wrong place at the right time, or the wrong place at the wrong time. Then it became an offence punishable with six months imprisonment, but it was wrong that the policeman should have the power of arresting a man without complaint being made, because in that case he became prosecutor and witness at the same time, and nobody could tell what his motive might be for arresting the man. He thought they should wait for the Report of the Royal Commission on the action of the police before this Bill was passed. It would go a long way to reconcile everyone to the Bill if they knew that there was to be an independent prosecutor in each case. It was for these reasons that he seconded this very moderate Amendment which he hoped the Government would accept.

Amendment proposed to the Bill—

In page 2, line 4, to leave out the words 'without warrant,' and insert the words 'upon complaint made.'"—(*Mr. Bottomley.*)

Question proposed, "That the words 'without warrant' stand part of the Bill."

*MR. GLADSTONE said the hon. Gentleman who had just spoken had only recently come into the House and therefore had not had the advantage of listening to the debate which took place on the last Amendment, and occupied over an hour and a half. Had the hon. Member been present during that discussion he would have known that the whole of this matter was then threshed out; therefore he would not now go into the question at greater length. He could not accept the Amendment.

MR. F. E. SMITH said that, as the Member responsible for initiating the previous discussion, he might be allowed to say that this Amendment was covered by the decision the House had already arrived at, and therefore he hoped it would not be pressed.

Amendment negatived.

MR. BOTTOMLEY hoped the Amendment he now moved would in the Government's opinion be worthy of consideration. Its object was to give to a person charged under this Act the same opportunities of defence as those given to a prisoner charged with an offence under the Criminal Law Amendment Act. There were such things, as everyone knew, as police traps, and it was not an uncommon thing for the police to resort to the theatrical device of disguising persons for entrapping a bookmaker. He saw that the right hon. Gentleman the Home Secretary was prepared to accept this Amendment, and therefore it was not necessary to trouble the House further.

Amendment proposed to the Bill—

"In page 2, line 9, after the word 'proved,' to insert the words 'or unless the person charged shall satisfy the Court that he had reasonable ground for believing otherwise.'"—(*Mr. Bottomley.*)

Question "That those words be there inserted in the Bill," put, and agreed to.

*MR. CLAUDE HAY moved an Amendment to prevent betting by means of the Government telegraphs. He said that not only was a large staff held specially in reserve, if not actually engaged, day by day transmitting telegrams relating to betting, but there was a large and expensive apparatus at various post offices in London and elsewhere which had been erected for the sole purpose of treating the business connected with the transmission of telegrams entirely confined to betting transactions. If they wanted to check the evils connected with street betting they must prevent all telegraphic communications coming into the hands of those who used the streets as a medium for what the Government regarded as a nefarious business. Those who opposed this Bill were animated by the desire, not merely to whittle down its provisions, but to purify the whole of our social organisation by removing temptations from great masses of the people. One salient fact in connection with the transmission of betting arrangements by telegraph was that every facility was given to the well-to-do or rich person to indulge in the practice, whilst the workman who betted for so small a sum that it was not worth his while, if he could afford it, to use the telegraph was punished. They ought not by any section of this Bill to tolerate any sort of arrangement which made one law for the rich and another for the poor. On that ground he moved this Amendment, believing that if it were not carried they would be stultifying themselves by allowing the rich man to bet, but punishing the poor man for betting.

Mr. F. E. SMITH seconded the Amendment, which, he said, raised the question of whether this House was determined to use its influence to prevent a far wider source of corruption than street betting, namely, that which was rendered possible by means of the telegraph. There were reformers on the other side of the House who thought there was no more fruitful source of corruption than betting, and if they held that view how could they consistently regard this Amendment as a subject of humour. Whilst hon. Members were prepared to allow a constable to arrest poor men in the streets without warrants, they were content to permit people in the class of life from which they themselves were drawn to send telegrams, well knowing that when any of our great national sporting events occurred bets were made wholesale and the State was profiting by them. Was this a consistent, or a complete method of dealing with a moral outrage? It was said that it would be difficult to detect a betting telegram because ciphers might be used, but if Parliament decided that it should be unlawful to send a telegram which dealt with a bet they would be able to strike off at once 75 per cent. of the betting telegrams. The men who sent these telegrams were not going to expose themselves to the risk of setting the criminal law in motion. He would press the point, which was not a Party one, upon hon. Members who honestly wished to deal with the national love of gambling to deal with it as practised not by poor men at street corners, but by influential men at their clubs and on race courses. It was nothing but organised hypocrisy to interfere only with poor people who betted.

Amendment proposed to the Bill—

"In page 2, line 13, after the word 'any,' to insert 'post or telegraph office.'"—(*Mr. Claude Hay.*)

Question proposed, "That those words be there inserted in the Bill."

The POSTMASTER-GENERAL (Mr. Sydney Buxton, Tower Hamlets, Poplar) said that if he could see his way to diminish the evils of betting by post or telegraph he would certainly do something in that direction, but the Amendment appeared to him to be perfectly impracticable from the administrative point of view. It would really create an offence without any adequate power of meting out punishment. It was no use creating a crime by Act of Parliament if it were certain they could not carry out the law. To make it an illegal act to send a betting telegram or a bet by post put the responsibility on the various officials of the Post Office to stop these messages. He thought the hon. Member would see the administrative difficulty in connection with the matter. It would mean that every telegram must be read and supervised by someone responsible in every office throughout the kingdom. He did not think the hon. Member could really have any experience of the method by which telegrams were dealt with.

Mr. F. E. SMITH said telegrams containing obscene messages were now stopped.

Mr. SYDNEY BUXTON regretted to say that even there great difficulty was often experienced, and that telegrams were often sent which, by right, should be stopped. But that was a different matter. The definition of an obscene telegram was obvious to the ordinary operator, but the question of what was or was not a betting telegram would have to be decided by a person of some responsibility in the office, and not be left to the ordinary operator, who at present was the only person who handled the telegram. The delay that would be incurred would greatly affect the convenience of the general public, and in addition he did not think they could put the responsibility upon the 20,000 postmasters and sub-postmasters of saying what was or was not a betting telegram. The practical difficulties of the proposal were absolutely overwhelming, and although he could assure the hon. Gentleman he would be very glad indeed if he could see his way to take some step in this direction, he was afraid that in regard to offensive circulars he had already strained his legal powers in order to prevent them so far as he could. He was not dealing with the matter in any way from the point of view of the revenue of the Post Office, but on account of, in the first place, the absolute impossibility of defining these telegrams, and, in the second place, the great delay and inconvenience that would be occasioned to the public.

Lord BALCARRES said the right hon. Gentleman had dealt with the subject very candidly. He had admitted the principle of the Amendment, and that was a considerable step. The whole difficulty was administrative. Of course the telegrams would have to be inspected, but if the telegraphic operator made a mistake he would have the whole force of the Department behind him. Mistakes would occur, no doubt, very rarely. Then the right hon. Gentleman said a betting telegram would have to be defined, but a telegram dealing with horse-racing required very little definition. It was perfectly obvious that if anything were put on a horse it must be for racing. It was purely an administrative difficulty. The further administrative difficulty was that it would be an inconvenience to the public; but the inconvenience of the betting public was not considered by this Bill. He would remind the right hon. Gentleman that there were certain telegraph offices in this country which were founded exclusively for betting purposes, and were used for nothing else. Many of them were closed every day in the year except race days. If the right hon. Gentleman really wished to deal with this matter it would be perfectly easy to make a start with some of these offices. A complete record was made of every telegram sent, and even though mistakes were made by the operator as to what were betting telegrams, when they were dealing with a great evil these small risks had to be taken. He considered that as the Postmaster-General had conceded the principle without reservation, and had only based his opposition purely on administrative grounds, his hon. friend who moved the Amendment might consider whether he should not withdraw it, although he would express a hope that during the next session the right hon. Gentleman might see if the administrative difficulties could be overcome.

Mr. BOWLES hoped hon. Gentlemen who were as strongly in favour of the principle of the Amendment as was the Postmaster-General, would not be misled by the terms of the right hon. Gentleman's reply, because it was abundantly clear that he had missed the point of the Amendment. Betting was not made an offence by this Bill, and sending a betting telegram would not be an offence under the Amendment. The offence his hon. friend aimed at was the frequenting or loitering at a post office for the purpose of betting by telegram or otherwise. There was not the slightest difficulty in dealing with a man under this Act who frequented or loitered in a post office or telegraph office for the purpose of carrying on betting transactions, and that being so there was not the slightest reason why the Amendment should not be accepted. There was no reason why it should be more difficult to deal with loiterers and frequenters in a post office than in the streets. For his part he deprecated all interference of this kind. He thought it brought the law into contempt, and to say that it could only be enforced by taking enormous powers, such as arresting without warrant, was a condemnation of the whole scheme. If hon. Members were sincere in their desire to stamp out this evil, they should interfere with the rich as well as the poor. He was convinced that they would fail, but if they meant to try let them at least be fair all round.

Mr. WILLIAM REDMOND said he did not pretend in any way to be an authority on this question, and he did not doubt that the hon. Gentleman who moved the Amendment and the hon.

and learned Gentleman who seconded it were quite sincere in their declarations that they did not indulge in the habit of betting.

Mr. F. E. SMITH: May I state that I never said so.

Mr. WILLIAM REDMOND said he rather thought he would get that declaration.

*Mr. CLAUDE HAY: The hon. Member included me in his remarks. Personally I never bet. I do not think I have had a bet on a race for more than twenty-five years.

Mr. WILLIAM REDMOND thought the Postmaster-General had pointed out very properly that it would be absolutely impossible to refuse telegrams on the subject of betting. Most of these telegrams were sent in cypher, and even the Postmaster-General himself would be unable to decide on some of these telegrams. A person might want to put £5, say, on a race horse called "Scots Grey," and he might use the code "Rosebery Sulking." How was the right hon. Gentleman to know that that referred to a particular horse? He would probably say it was a piece of ordinary political intelligence. The Amendment would not at all meet the case. As to loitering within the precincts of a post office being made a crime, hon. Members would be afraid to go to the post office in the Lobby for fear that if they waited for their letters more than a minute they might be arrested by Inspector Scantlebury on the charge of loitering for the purpose of sending betting telegrams. Everybody knew that as it approached three o'clock on the day of a big race, it was merely by coincidence, and nothing else, that half the Members went down to the cloak room to get their umbrellas. If this question was to be dealt with, there ought undoubtedly to be one law all round. Everybody knew that the greatest people in the country, men of the most exalted stations, were patrons of sport. They all knew that betting took place. The House ought not to make one law for the poor, while entirely excluding the rich, and he asked them not to interfere with telegrams which nobody except those who were "in the know" could understand.

Mr. LUPTON said he was delighted to find himself in agreement with the Government. The Bill was aimed at persons who carried on betting in the streets, and it was to relieve working men and women from the temptation to that particular form of gambling that the measure had been brought forward. It was never intended to prevent people from betting at a racecourse. It was, therefore, unjust to say that the Government were making one law for the rich and another for the poor.

Mr. PIKE PEASE asked whether the Postmaster had not made a mistake in his reply. The Amendment was to prevent loitering for betting in any "post or telegraph office." That had nothing to do with the transmission of telegrams.

Mr. SYDNEY BUXTON replied, but the answer was inaudible in the Press gallery.

Mr. MITCHELL-THOMSON said the right hon. Gentleman had replied to his hon. friend on a wrong assumption. He thought the House was entitled to a further answer.

*Mr. GLADSTONE said the Post Office already had power to deal with persons loitering in or frequenting post offices for the purposes of betting, either as trespassers or under the Post Office Protection Act of 1884.

Question put.

The House divided:—Ayes, 14; Noes 205. (Division List No. 485.)

AYES.

Balcarres, Lord
Barrie, H.T. (Londonderry, N.)
Carlile, E. Hildred
Cooper, G. J.
Courthope, G. Loyd
Finch, Rt. Hon. George H.
Harrison-Broadley, Col. H. B.
Morpeth, Viscount
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pease, Herbert Pike (Darlington
Salter, Arthur Clavell
Smith, F. E. (Liverpool, Walton
Staveley-Hill, Henry (Staffs'h.)

Tellers for the Ayes—Mr. Claude Hay and Mr. Hills.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Armitage, R.
Banbury, Sir Frederick George
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E B.
Barran, Rowland Hirst
Beach, Hn. Michael Hugh Hicks
Beale, W. P.
Beaumont, Hn. W.C.B.(Hex'm
Beck, A. Cecil
Bellairs, Carlyon
Bennett, E. N.
Bertram, Julius
Boland, John
Bottomley, Horatio
Brace, William
Bramsdon, T. A.
Bridgeman, W. Clive
Brodie, H. C.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cave, George
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clough, William
Cobbold, Felix Thornley
Corbett, C. H(Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Crean, Eugene
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Fuller, John Michael F.
Fullerton, Hugh
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glover, Thomas
Goddard, Daniel Ford
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haddock, George R.
Haldane, Rt. Hon. Richard B.
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Higham, John Sharp
Hobhouse, Charles E. H.
Hogan, Michael
Hooper, A. G.
Howard, Hon. Geoffrey
Hudson, Walter
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Kearley, Hudson E.
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Maclean, Donald
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Arthur, William
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Nannetti, Joseph P.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Hare, Patrick
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
Paulton, James Mellor
Philipps, Col. Ivor (S'thampton)
Pollard, Dr.
Price, C. E. (Edinb'gh, Central)
Price, Robt. John (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Reddy, M.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Renton, Major Leslie
Richards, Thos. (W. Monm'th.)
Richardson, A.
Roberts, Chas. H. (Lincoln)
Roberts, G. H. (Norwich)
Robinson, S.
Runciman, Walter
Russell, T. W.
Samuel, Herbert L (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Scott, Sir S. (Marylebone, W.)
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick, B.
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smyth, Thos. F. (Leitrim, S.)
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Starkey, John R.
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thompson, J. W. H. (Somerset, E
Thomson, W. Mitchell-(Lanark)
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Walrond, Hon. Lionel
Walton, Sir John L. (Leeds, S.)
Ward, W. Dudley (Southampton
Wason, Eugene (Clackmannan)
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Hn. C. H. W. (Hull, W.
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid.)
Wilson, J. W. (Worcestersh. N.)

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Mr. CLOUGH (Yorkshire, W.R., Skipton) moved the omission of Clause 2, which exempted racecourses from the operation of the Act. He thought that that was class legislation of a very invidious kind. It attempted to deal with an evil affecting the working and industrial classes—for which many Members were grateful—but it specially reserved the racecourse for the indulgence of the drones and butterflies of society. In dealing with this evil in the streets they were only dealing with effects; they ought to remove the causes, and the racecourse was the fount and source of the mischief, the seat of the cancer and canker. It was doubtful, even if this clause were left out, whether or not racecourses would be exempted. He quite agreed with the Chancellor of the Exchequer that this Parliament ought to set new precedents, but they should be good and wholesome, and not bad and reactionary precedents, such as this special exemption of racecourses. He objected to this Racecourse (Removal of Doubts) Clause. This Bill had come from another place where they were adepts at construing the real minds of the authors of proposed measures. But he was perfectly certain that Clause 2 was not in the Bill as introduced in another place, and at any rate it had never been in the mind of Lord Davey, the original author of the Bill. Therefore they should reconstitute it in this respect. What were the objections to the omission of the clause? It had been said that this was not a racecourse Bill, but a street betting Bill; but if they looked at the measure they would find that it was a Bill for the suppression of betting in streets and in other public places, and therefore he did not see why race courses should be exempted from its operation when the Bill became law. Besides, their well-beloved Prime Minister had said, "a rose by any other name will be the same thing," and this Bill by any other name would be the same Bill. He did not think that if this clause was struck out they would lose the Bill altogether; and he hoped that the Government would not "tell" against the Amendment. In another place they had struck out clauses from measures sent up to them, and under Mr. Speaker's direction the House of Commons had struck out clauses in measures sent to them, and they had not lost those Bills has yet. He and those who agreed with him liked the Bill; they thought it a good Bill; but they believed it would be improved by the omission of Clause 2.

Mr. LUTTRELL (Devonshire, Tavistock) seconded the Amendment. He could not see why a man was to be prevented from betting in the street and yet allowed to bet on a racecourse.

Amendment proposed to the Bill—

"In page 2, line 22, to leave out Clause 2."—(*Mr. Clough.*)

Question proposed, "That the words proposed to be left out, to the word 'or,' in line 23, stand part of the Bill."

*Mr. GLADSTONE said that he proposed that this should be left an open question. So far as the merits of the Bill were concerned, it would make no difference whether the Amendment was carried or not. Personally he should vote with a clear mind for the clause as it stood. It had been said that the Bill was aimed against the poor man and was in favour of the rich man; but the poorer classes went to race meetings and betted with wandering bookmakers. If the clause were omitted he thought a good deal would be done to organise betting in rings.

*Mr. HICKS BEACH (Gloucestershire, Tewkesbury) hoped the clause would be retained in the Bill, the object of which was to prevent betting in the streets. Betting on a racecourse and betting at street corners were totally different things. Frequenters of racecourses went there knowing that they would see horses race and that they would also be tempted to bet. To say that a man should not be allowed to make a bet, whether of sixpence, half a crown, or £500 or more, under those conditions, would be grandmotherly legislation of the worst description, and went far beyond the scope of the Bill, which was only intended to put a stop to the temptations of betting at street corners. The hon. Member who moved the rejection of this clause talked about the Bill in its present form as being class legislation of the most invidious type, and mentioned some words which dealt with a society of drones and butterflies. He did not know what that had to do with those who attended racecourses, but he would remind the hon. Member that frequenters of racecourses in the neighbourhood of large towns were drawn far more largely from the working class than from that class which he described as consisting of drones and butterflies. It was essential for the protection of the racecourse that this clause should be kept in, and he hoped hon. Members would consider very seriously before they supported the Amendment of the hon. Member.

Mr. J. W. WILSON hoped that hon. Members would not vote against Clause 2 as he felt it would endanger the passing of the Bill; it would not prevent rich folk from betting, and it would leave street betting in the position in which it was before. It was quite a different thing to deal with betting on racecourses and to deal with it in the streets. If there was one thing for which they had a mandate it was to put down the nuisance which existed outside large works, when the men with their wages in their pockets were tempted to bet. It was quite a different thing when the same set of people put on their best clothes and went to a racecourse, and it was idle to suppose that even this Radical Parliament was resolved to put a stop to betting on racecourses. They were, in attempting to do it, running their heads against a brick wall, and aiding and abetting those who wished to see this Bill defeated.

Lord BALCARRES asked whether the words "adjacent thereto," as applied to a racecourse meant a hundred yards or a quarter of a mile away. There might be factories or workshops within a few yards of a racecourse, and a man might still, in spite of the Bill, be tempted to bet at a street corner. It was not right to leave such slovenly, general, indiscriminate, and ill-defined words in an Act of Parliament if it was meant to be effective. He thought this clause was the first recognition of betting contained in an Act of Parliament dealing with criminal matters.

Mr. BYLES (Salford, N.) thanked the Government warmly for allowing them to vote as they liked on this question, without the pressure of the Government Whips. For once they were not putting them in the dilemma, which some of them were so often put into, of having either to vote against the Government or against their consciences. The Home Secretary would remember very well that in Committee they had a very close division about this matter, and he was not so sure that if the House had been as full as when the Minister for Education made his statement that afternoon, this House would not strike the clause out of the Bill. The Bill was directed to preventing people from waiting and loitering in streets in order to make bets, but then this clause was dropped in so that a rich man could go to Newmarket, and there was nothing to prevent his making bets. That meant that while certain aristocratic gentlemen wanted to be protected themselves, they were perfectly willing to prevent poor men betting in the streets, so long as they were enabled to do what the poor man could not. He intended to vote against the clause.

Mr. EUGENE WASON (Clackmannan and Kinross) said the hon. Member was thankful for small mercies. He had not been on a race-course for twenty-five years, and knew nothing about them. He did not bet on horse-races or any thing else, not because he thought it wrong, but because his vices did not lie in that direction. He should vote for the retention of the clause on the ground that the Bill was intended to stop street betting, and that if they attempted to strike out the clause, it would imperil the passage of the measure, which they would all deplore.

Question put.

The House divided:—Ayes, 144; Noes 40. (Division List No. 486.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Armitage, R.
Barlow, Percy (Bedford)
Barran, Rowland Hirst

Beach, Hn. Michael Hugh Hicks
Beale, W. P.
Beaumont, Hn. W. C. B. (Hexh'm
Bennett, E. N.
Bertram, Julius
Boland, John
Bottomley, Horatio
Bowerman, C. W
Bowles, G. Stewart
Brace, William
Bramsdon, T. A.
Brodie, H. C.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cheetham, John Frederick
Corbett, C H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Courthope, G. Loyd
Crean, Eugene
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Delany, William
Dolan, Charles Joseph
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Edwards, Enoch (Hanley)
Farrell, James Patrick
Fenwick, Charles
Ffrench, Peter
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Flavin, Michael Joseph
Fuller, John Michael F.
Fullerton, Hugh
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glover, Thomas
Gwynn, Stephen Lucius
Haddock, George R.
Haldane, Rt. Hon. Richard B.
Harvey, A. G. C. (Rochdale)
Haworth, Arthur A.
Hay, Hon. Claude George
Hayden, John Patrick
Hills, J. W.
Hobhouse, Charles E. H.
Hogan, Michael
Hooper, A. G.
Howard, Hon. Geoffrey
Hunt, Rowland
Johnson, John (Gateshead)
Kearley, Hudson E.
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Leese, Sir Joseph F. (Accrington)
Lever, A. Levy (Essex, Harwich)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lupton, Arnold
Lyell, Charles Henry
Maclean, Donald
MacVeigh, Chas. (Donegal, E.
M'Arthur, William
M'Crae, George
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Mooney, J. J.
Murnaghan, George
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid)
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Hare, Patrick
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
Paulton, James Mellor
Pease, J. A. (Saffron Walden)
Philipps, Col. Ivor (S'thampton)
Pollard, Dr.
Radford, G. H.
Reddy, M.
Redmond, John E. (Waterford
Redmond, William (Clare)
Renton, Major Leslie
Richards, Thos. (W. Monm'th)
Richardson, A.
Roberts, Charles H. (Lincoln)
Robinson, S.
Salter, Arthur Clavell
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Scott, Sir S. (Marylebone, W.)
Shaw, Charles Edw. (Stafford)
Sherwell, Arthur James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smith, F. E. (Liverpool, Walton
Soares, Ernest J.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Staveley-Hill, Henry (Staffs'h.)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Toulmin, George
Verney, F. W.
Walrond, Hon. Lionel
Walton, Sir John L. (Leeds, S.)
Ward, W. Dudley (Southamptn
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Wilson, Hn. C. H. W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid.)

TELLERS FOR THE AYES—Mr. J. W. Wilson and Mr. Eugene Wason.

NOES.

Baring, Godfrey (Isle of Wight)
Barnard, E. B.
Barrie, H. T. (Londonderry, N.)
Byles, William Pollard
Channing, Sir Francis Allston
Cobbold, Felix Thornley
Cooper, G. J.
Dunn, A. Edward (Camborne)
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Ferens, T. R.
Goddard, Daniel Ford
Gulland, John W.
Harmsworth, Cecil B. (Worc'r)
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Higham, John Sharp
Hudson, Walter
Jones, Leif (Appleby)
Laidlaw, Robert
Lehmann, R. C.
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.)
Morton, Alpheus Cleophas
Murphy, John
Nannetti, Joseph P.
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Price, C. E. (Edinb'gh, Central)
Price, Robert John (Norfolk, E.
Roberts, G. H. (Norwich)
Russell, T. W.
Shaw, Rt. Hn. T. (Hawick, B.)
Smyth, Thos. F. (Leitrim, S.)
Thompson, J. W. H. (Somerset, E
Whiteley, George (York, W.R.)

TELLERS FOR THE NOES—Mr. Clough and Mr. Luttrell.

Bill read the third time, and passed with Amendments.

REMOVAL OF OFFENSIVE MATTER BILL.

Considered in Committee, and reported, without Amendment; read the third time, and passed.

RECORDERS, STIPENDIARY MAGISTRATES, AND CLERKS OF THE PEACE BILL.

As amended, considered; read the third time, and passed.

JUDICATURE (IRELAND) BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

IRISH EDUCATION (AFFLICTED CHILDREN) BILL.

Order for Committee read, and discharged. Bill withdrawn.

INFECTIOUS DISEASE (IRELAND) BILL.

Order for Committee read, and discharged. Bill withdrawn.

DUBLIN POLICE BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

LOCAL REGISTRATION OF TITLE (IRELAND) BILL.

Order for Committee read, and discharged. Bill withdrawn.

AGRICULTURAL HOLDINGS (SCOTLAND) (CONSOLIDATION)BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

AGRICULTURAL HOLDINGS (CONSOLIDATION BILL.)

Order for Second Reading read, and discharged. Bill withdrawn.

JUDICATURE BILL [LORDS].

Order for Second Reading read, and discharged. Bill withdrawn.

MATRIMONIAL CAUSES ACTS AMENDMENT BILL [LORDS].

Order for Second Reading read, and discharged. Bill withdrawn.

SALMON AND FRESHWATER FISHERIES BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

POISONS AND PHARMACY BILL [LORDS].

Order for Second Reading read, and discharged. Bill withdrawn.

EDUCATION (CONSOLIDATION) BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

SEA FISHERIES (SCOTLAND) (APPLICATION OF PENALTIES) BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

CRIMINAL APPEAL BILL [LORDS].

Order for Second Reading read, and discharged. Bill withdrawn.

SUPPLY OF ELECTRICITY BILL.

Order for Second Reading read, and discharged. Bill withdrawn.

LICENSING (REMOVAL OF DOUBTS) BILL.

Considered in Commitee, and reported, without Amendment; Bill read the third time, and passed.

Whereupon MR. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty-nine minutes after One o'clock.

[APPENDICES.

APPENDIX I.

PUBLIC BILLS

DEALT WITH IN VOLUME CLXVI.

Those marked thus* are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill originated in the House of Lords.

(A.) HOUSE OF LORDS.

Title of Bill.	Brought in by	Progress.
*Education (England and Wales)	*Earl of Crewe*	Report 29th Nov. (186) Report 3rd Dec. (442) Read 3^a and passed 6th Dec. (1062)
*Land Tenure	*Earl Carrington*	Read 2^a 5th Dec. (863)
Marine Insurance [H.L.]	*Earl of Halsbury*	Consideration of Commons Amendments, 28th Nov. (22)
*Plural Voting	*Earl Beauchamp*	Read 1^a 4th Dec. (686) Second Reading defeated 16th Dec. (1487)
*Town Tenants (Ireland)	*Lord Denman*	Read 1^a 3rd Dec. (442) Read 2^a 6th Dec. (1119)
*Trade Disputes	*Lord Loreburn*	Read 2^a 4th Dec. (606)

(B.) HOUSE OF COMMONS.

Title of Bill.	Brought in by	Progress.
*Agricultural Holdings (Consolidation)	*Sir. E. Strachey*	Bill withdrawn 10th Dec. (1693)
*Agricultural Holdings (Consolidation) (Scotland)	*Sir E. Strachey*	Bill withdrawn 10th Dec. (1693)
*Bankers (Ireland) Act Repeal	*Mr. Cherry*	Bill withdrawn 3rd Dec. (683)

Title of Bill.	Brought in by	Progress.
*Burials	*Mr. John Burns*	Read 2° 30th Nov. (437) Committee 6th Dec. (1291) Committee, Report, Read 3° and passed } 7th Dec. (1466)
Clanricarde Estate (Expropriation)	*Mr. Duffy*	Read 1ª 28th Nov. (89)
*Criminal Appeal [H.L.]	*Sir J. Walton*	Bill withdrawn 10th Dec. (1694)
*Dublin Police	*Mr. Bryce*	Bill withdrawn 10th Dec. (1693)
*Education (Consolidation)	*Mr. Birrell*	Bill withdrawn 10th Dec. (1694)
*Education (England and Wales)	*Mr. Birrell*	Consideration of Lords' Amendments 10th Dec. (1576)
*Education (Provision of Meals)	*Mr. Lough*	Committee 6th Dec. (1273) Committee 7th Dec. (1315)
*Employers' Liability Insurance Company's	*Mr. Kearley*	Read 1° 3rd Dec. (604)
*Expiring Laws Continuance	*Mr. McKenna*	Read 1° 6th Dec. (1204)
*Infectious Diseases (Ireland)	*Mr. Bryce*	Bill withdrawn 10th Dec. (1693)
*Irish Education (Afflicted Children)	*Mr. Bryce*	Bill withdrawn 10th Dec. (1693)
*Judicature [H.L.]	*Sir W. Robinson*	Bill withdrawn 10th Dec. (1693)
*Judicature (Ireland)	*Mr. Bryce*	Bill withdrawn 10th Dec. (1693)
*Local Registration of Title (Ireland)	*Mr. Cherry*	Bill withdrawn 10th Dec. (1693)
*Licensing (Removal of Doubts)	*Sir J. Walton*	Read 1° 4th Dec. (777) Read 2° 6th Dec. (1271) Committee, Report, Read 3° and passed } 10th Dec. (1694)
*Matrimonial Clauses Acts Amendment [H.L.]	*Sir J. Walton*	Bill withdrawn 10th Dec. (1694)
Naval Lands Volunteers		Bill withdrawn 3rd Dec. (684)
*Plural Voting	*Mr. Harcourt*	Report 28th Nov. (93) Read 3° and passed 3rd Dec. (604)
*Poisons and Pharmacy [H.L.]	*Mr. H. Samuel*	Bill withdrawn 10th Dec. (1694)

Title of Bill.	Brought in by	Progress.
*Recorders, Stipendiary Magistrates and Clerks of the Peace	*Mr. Herbert Samuel*	Read 2^a 30th Nov. (439) Committee 7th Dec. (1468) Report Read 3^a and passed 10th Dec. (1690)
*Removal of Offensive Matter	*Mr. John Burns*	Read 2^o 7th Dec. (1466) Committee Report Read 3^o and passed 10th Dec. (1693)
*Salmon and Freshwater Fisheries	*Sir Edward Strachey*	Bill withdrawn 10th Dec. (1694)
*Sea Fisheries (Scotland) (Application of Penalties)	*Mr. Sinclair*	Bill withdrawn 10th Dec. (1694)
*Street Betting	*Mr. Yoxall*	Report 10th Dec. (1647)
*Supply of Electricity	*Mr. Kearley*	Bill withdrawn 10th Dec. (1694)
*Supreme Court of Judicature (Ireland)	*Mr. Cherry*	Bill withdrawn 3rd Dec. (683)
*Town Tenants (Ireland)	*Mr. Cherry*	Read 3^o and passed 30th Nov. (396)
*Workmen's Compensation	*Mr. Gladstone*	Report 29th Nov. (321) Report 4th Dec. (781) Report 5th Dec. (974) Report 6th Dec. (1204)

APPENDIX II.

HOUSE OF COMMONS, SESSION 1906.

List of Rules, Orders, &c., which have been presented during the Session, and are required by Statute to lie for an appointed number of Days upon the Table of the House.

In Continuation of List given in previous Volume.

Title of Paper.	Date from which the Period runs.	Period to lie upon the Table.
Shop Hours Act, 1904,—Copy of Order made by the Council of the Borough of Darlington, and confirmed by the Secretary of State for the Home Department, fixing the Hours of Closing for certain Shops within the Borough [4 Edw. VII., c. 31, s. 3 (3)]	5 December	40 days

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[AUTHORISED EDITION].

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Where in the Index * is added with Reading of a Bill, or a Vote in Committee of Supply, it indicates that no Debate took place on that Stage of the Bill, or on that Vote.

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Lord Chief Justice
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Lord Great Chamberlain
Marquess of Cholmondeley.

Lord Lieutenant of Ireland
Earl of Aberdeen.

Lord President of the Council
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Secretary of State for India
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